

W/4a

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Jana Zimmer

1) Name or description of project: Offroad Vehicle/State Parks Oceano Dunes State Vehicular Recreation Area (ODSVRA) CDP Review

2) Date and time of receipt of communication: Feb 9, 2015, 11:00-11:30

3) Location of communication: telecon

(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)

4) Identity of person(s) initiating communication: Gordon Hensley

5) Identity of person(s) on whose behalf communication was made: Gordon Hensley

6) Identity of persons(s) receiving communication: Jana Zimmer

7) Identity of all person(s) present during the communication: same

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COASTAL COMMISSION
CENTRAL COAST AREA

Gordon Hensley of San Luis Obispo has served on the TRT for 14 years.

He explained the one item suggested in his letter, that could have some real impact on the coastal resources, and the snowy plover and tern in particular, and moving the process forward toward completing a Habitat Conservation Plan.

Currently the fences go up over a portion of the riding area during breeding season. No doubt that the current practice of fencing during breeding season is helpful. However, at the end of the breeding season, the fences come down, riders go back to riding over that section of the park as well. The Scientific Subcommittee has recommended for several years- because the habitat improvement has to start over every year,- to at least experiment to see if there would be better success if they would try for a year to keep that area or part of it closed. They need to know, would that strategy produce a better result in numbers of fledgling of the plover as well as the tern?

State parks has not implemented this suggestion He thinks that this is because the riders are concerned that this is a death by a thousand cuts. They fear that more and more of the property will be excluded.

Mr. Hensley was asked by Peter Douglas 14 years ago to serve on this TRT. He stated from his perspective that it is incredibly frustrating that after 14 years, they are nowhere on the HCP. That is the ticket to get a Plan, and how the riders would actually have a take permit which would allow them to do their recreation without risk of liability. If they had indeed killed one of the birds, they have no permit now. If that event happened, that would be their worst nightmare. The prior attempts to get an HCP were not well conceived. The Parks Dept Off

Highway Vehicle division wanted the HCP to cover all of SLO County parks, and that didn't go anywhere with Fish and Wildlife. They need to move forward with a plan specific to this area.

He noted that the film that the members of the public want to show is 14 years old. We are going to be hearing a lot of old news. State Parks will respond that they have made changes since then and they have. But can the Commission at least help move them off the dime on this interim step? He believes this is in their best interest to have the HCP.

Regarding other ways to minimize harm to resources: He also would like to get them not to drive through the creek. There are millions of visitors. Every vehicle has to cross the creek going in/coming out. If they take a break for a burger, that is another trip in and out. They've looked at alternatives- alternate entrances. For various reasons none of them panned out. They have talked about a military style portable bridge. You cant have a permanent bridge because the creek moves. Now that would involve State Lands property, so that adds another permitting agency to coordinate with.

He thinks State Parks has an obligation, under the Public Resources Code, especially when their own Scientific Subcommittee suggests something, to give it some life and he thinks it is totally political that they haven't done so- the off-road vehicle industry influence is too great. The TRT is willing to hang together until the HCP, but may not continue after that - after 14 years it is difficult.

Feb. 9, 2015

/s/Jana Zimmer

W14a

EX PARTE COMMUNICATION DISCLOSURE FORM

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From: Tarren Collins <tarrencollins@charter.net<mailto:tarrencollins@charter.net>>
Date: February 6, 2015 at 12:53:50 PM PST
To: "Kinsey, Steven" <SKinsey@marincounty.org<mailto:SKinsey@marincounty.org>>
Subject: RE: Oceano Dunes SVRA - Link to 2001 video shown at CCC hearing on 2-14-01

Here again is the link to pass on to your fellow Commissioners
https://urldefense.proofpoint.com/v2/url?u=http-3A_youtu.be_RiaE-5FCjRhyg&d=AwICAg&c=B8hLLxvpkjWR43jQzFdKiDTIWYeIS5FePbXUbD-Ywb4&r=JidnpwuKXPkrceJvAekmNS3oTzZo2MKFpKM1qjB77U&m=Eh4Ad9bYR8sU9UG2JXuBuXWu5KZjDj87VZC3jrJQ53w&s=lbX4p1SR5YbGProkpzipgFcR4nXFMYL4-6_y1bNFjak&e=

Thank you,

Tarren Collins

Email Disclaimer: <http://www.marincounty.org/main/disclaimers>



DEPARTMENT OF PARKS AND RECREATION
Oceano Dunes District
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Lisa Ann L. Mangat, Acting Director

W14a

February 9, 2015

Mr. Justin Buhr, Coastal Planner
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

Reference: Agenda Item W14a, Staff Report, Oceano Dunes State Vehicular Recreation Area (SVRA) Permit Review of CDP 4-82-300.

The California Department of Parks and Recreation, Off Highway Motor Vehicle Recreation (OHMVR) Division, Oceano Dunes District, has reviewed the above referenced staff report and offers the following comments.

Oceano Dunes SVRA totals approximately 3,600 acres, of which 1500 acres are seasonally open to camping, day use, and off-highway vehicle (OHV) recreation. Oceano Dunes SVRA serves between 1.5 and 2.1 million visitors per year.

Oceano Dunes SVRA provides many diverse and low cost recreational opportunities including but not limited to fishing, hiking, nature walks, horseback riding, kite surfing, and bird watching. Visitors to the Oso Flaco area can enjoy a moderate walk along the one-mile Americans with Disabilities Act (ADA) accessible boardwalk, observing wildlife and native plants as the path passes the Oso Flaco Lakes area, leading out to the beach.

Surfing, boating, operating personal watercraft, kite boarding, and paddling are some of the recreational watersports available at Oceano Dunes SVRA. Since motorized activity is allowed on the beach, those accessing the water for recreational purposes can park their vehicles and easily unload gear near the water's edge.

Allowing OHV access to less than a third of the park property has allowed for an abundance of success in natural and cultural resource protection, providing balanced recreational opportunities while preserving Californian's natural and cultural heritage.

Oceano Dunes SVRA accounts for a large proportion of coastal camping opportunities in the State Park System. The system has approximately 15,000 campsites from the redwoods to the deserts, including inland lakes, coastal beaches, and the Sierra Nevada Mountains. Of these campsites, approximately 6,200 sites are near the coast.

Oceano Dunes SVRA represents 1,000 of the total coastal campsites in the entire State Park System. In addition, camping opportunities at Oceano Dunes SVRA are unique in that this is the only coastal unit where it is legal to camp on the sand, directly on the beach. The recreational resources at Oceano Dunes SVRA are an asset to the citizens of California and are being conserved for the public good.

OHMVR Division generally concurs with the staff recommendation that no action on this permit is warranted at the February 2015 hearing. Oceano Dunes District has been diligently implementing the terms of CDP 4-82-300 as amended including holding meetings annually with the Technical Review Team (TRT) and the Scientific Sub-Committee (SSC); making progress on numerous studies and initiatives that have come out of these advisory groups; making sustained progress on a multi-species Habitat Conservation Plan (HCP); developing sound methods to tracking visitor and vehicle numbers in the park; and other tasks in support of this permit.

While OHMVR Division generally concurs with the staff recommendation, there are some findings in the staff report that would benefit from a broader context. Our comments are organized under seven main categories, as follows.

Park Entrance and OHV Staging Area

Oceano Dunes District has analyzed and studied this issue twice, once in 1991 and again in 2006. In 1991, Oceano Dunes District circulated an Environmental Impact Report (EIR) and amended the General Plan for Pismo State Beach and Oceano Dunes SVRA through joint actions by the State Parks and Recreation and Off-Highway Motor Vehicle Recreation Commissions in 1992 and 1994. The staff report recommends an updated alternative access and staging area study based on new information. There have been no capital improvements or significant changes in the areas bordering park lands since these studies were completed. As a result, the District feels that a third analysis of this issue is excessive and would not provide any new information. This issue has been sufficiently studied, has undergone full review under the California Environmental Quality Act (CEQA), and has been accepted by oversight bodies. The only item remaining is for the CDP to be updated to reflect decision-making and actions that have occurred to permanently designate the park entrances and OHV staging areas.

Interim Vehicle Use Limits

Oceano Dunes District has continually refined methodology for tracking vehicle use limits and has developed an excellent track record of vehicle use dynamics in the SVRA. The TRT enables an adaptive management approach and provides an annual report to the Oceano Dunes District Superintendent and the CCC. OHMVR Division agrees with the process of Interim Vehicle Limits as set in A5. DPR interprets "Interim" to mean provisional or temporary as reflected in A5 "...such process would allow for adjustments, based on what we learn over time, in not only allowable use limits, but other management concerns of the park as well." (A5 pg. 2)

Interim Vehicle Use Limits are based off of attendance recorded in the 1970's. In the 1980's four-wheel ATV's were invented and it was not until the 1990's that toy haulers were a popular recreational camping vehicle. (See timeline attached) There have been significant changes in recreational opportunities and coastal access as a result of equipment evolution and improved management practices of the SVRA.

Logistical considerations were considered in 1991 in A5 "1000 vehicles were allowed as overnight. The total numbers of vehicles this limit could allow is unknown because it is not known how many additional vehicles would be on site." (A5 pg. 13) "...a comprehensive understanding of how many street-legal vehicles and OHVs are in the park on a daily basis at any given time, and their collective impact on the Park's resources, is not readily apparent." (A5 pg. 28) We have seen OHV ratios vary from 0.36 to 0.81 in the reporting process.

The TRT can review attendance and submit recommendations through Adaptive Management and the Iterative Process. To date, Oceano Dunes District has improved sensitive areas and been the vanguard for shorebird protection, as well as shown continuously improved safety statistics for the last 5 years. This meets the primary intent of the permit when it states "As in the original permit, the Commission's primary concern was with the impacts of OHVs to ESHA, the infrastructure capacity of the SVRA, and the user group (safety)." (A5 pg. 14)

Permit 4-82-300 Special Condition 3D does not state on what basis a specified number of OHV day users will be established, only that the County, the Executive Director, and DPR are to consult and agree to a specified number. (A5 pg. 14)

"Thus, the current limit of 4,300 day-use vehicles is somewhat arbitrary both in its derivation, and applicability to the ODSVRA 25 (now 40) years later." (A5 pg. 53) A decision on how big an increase or a decrease there should be was left to the Executive Director and the SLO Board of Supervisors based on annual reviews. "The limit of 4,300 day-use vehicles has historically been accepted absent any compelling evidence that it should be some other number. It is difficult to know if there is a better basis for any particular number over another for interim vehicle limits". (A5 pg. 53) Thus, the vehicle use limits may be continually updated to reflect changing conditions and results of various monitoring efforts. (A5 pg. 56)

OHMVR Division agrees with CCC Permit A5 when it states "DPR's monitoring and evaluation protocols and the establishment of a TRT to provide recommendations to the Superintendent provide the means to critically analyze the SVRA attendance impacts and evaluate the effectiveness of SVRA management actions to mitigate impacts." (A5 pg. 58) "Thus the limits should not be viewed as the ODSVRA's carrying capacity; rather they serve as the starting points from which the TRT may make adjustments based on what it has learned over the years." We appreciated the language in A5 that recognized the Department has undertaken considerable measures to mitigate for recreational impacts. (A5 pg. 56)

Air Quality and Dust Control

OHMVR Division has been working collaboratively with the San Luis Obispo Air Pollution Control District (APCD) and the California Air Resources Board to develop scientifically sound and practical dust control methods for Oceano Dunes SVRA that preserve recreational opportunities, while having a positive direct effect on downwind air quality. A permit is on file with the California Coastal Commission and an EIR is being circulated for a longer term dust control project. A Notice of Preparation is in circulation effective February 6, 2015 for this EIR. Recognizing that the EIR and CDP will require time to prepare and finalize, Oceano Dunes District has implemented seasonal dust control efforts and studies in close coordination with California Coastal Commission staff during the 2013 and 2014 wind seasons through temporary permits.

Dust control processes will evolve as new information becomes available and new methods are tested and refined in the actual setting. OHMVR Division does not accept the findings in Exhibit 15 conclusions as reported because of factual errors of a scientific nature that are found in the text. A number of significant studies undermine the reported findings. DPR will limit its comments to what it sees as the most significant points on the following issues:

- OHMVR Division, Oceano Dunes District staff along with California Geological Survey staff were available before and after this memo was written to provide background information on the site, vegetation, geology, and history of the dust control effort. Despite this effort, California Coastal Commission staff relied heavily on outdated research, calling into question the underlying assumptions of temporary dust control efforts.
- The concept of biological soil crust depicted in the CCC Staff report is not representative of the natural condition of the Aeolian Sandsheet in the local dune system.
- Straw bales installed in 2014 were erroneously indicated to have not been installed within Oceano Dunes SVRA, despite factual evidence that they were.
- Additionally, the staff report relies on a singular and speculative letter from a contractor for the San Luis Obispo APCD who has not visited the site. DPR asserts that this subject is vast and the literature is extensive. OHMVR Division would like to recommend to CCC Staff some available literature and studies related to dust control that is relevant to this area. There is a substantial amount of pertinent documents on the subject. A list of some, but not all relevant studies are attached to this letter.

La Grande Property and San Luis Obispo (SLO) County Local Coastal Plan (LCP)

OHMVR Division investigated acquisition of the La Grande Tract parcels starting in the 1990's. The SLO County's Land Tract property comprises 4,399 lots interspersed with many other small parcels owned by DPR or by private parties. In 2007, OHMVR Division formally offered to acquire the La Grande Tract parcels owned by SLO County and initiated the appropriate public review in support of that effort. As noted in the staff report, that acquisition was eventually delayed due to a conflict between LCP Figure 4 and the rest of the LCP.

LCP Figure 4 was first included in a 1981 draft of SLO County's LCP, accompanied by text proposing that Oceano Dunes District close the entire Oceano Dunes SVRA to OHV recreation and camping until the District designed and funded a plan making Oso Flaco Lake the primary camping area and access point for Oceano Dunes SVRA. The Figure 4 map would have been accurate, had the California Coastal Commission approved the draft LCP as submitted. The draft LCP was eventually rejected by the California Coastal Commission, however, in part because its staff found the plan was in conflict with the intent of the Coastal Act to "maximize public access and recreational opportunities for all the people" and that Oso Flaco Lake was too environmentally sensitive for the suggested uses.

In 1982, prior to approving SLO County's revised LCP, the California Coastal Commission approved CDP 4-82-300, which included OHV recreation and camping within the area identified as "buffer" in Figure 4. When the County LCP was certified in 1984, it was revised to reflect in general the conditions of State Park's CDP.

When the acquisition was delayed, the funding for this acquisition reverted back to the OHV Trust Fund. Oceano Dunes District operates the La Grande Tract consistent with CDP 4-82-300. OHMVR Division is not proposing to acquire the La Grande tract parcels at this time, and there is no need to amend the County LCP at this time.

Western Snowy Plover and California Least Tern Management Program

Since initiation of Amendment 5, the management program for western snowy plover and California least tern has evolved into one of the most successful programs in the State Park System and on the west coast. Oceano Dunes SVRA consistently has one of the highest recorded hatch rates for both species. Additionally, the park consistently has met or exceeded the recovery criteria for these two species. The management program has been reviewed each year by the SSC, including California Coastal Commission biologists, independent experts in the field of western snowy plover and California least tern management, as well as by regulatory wildlife agencies. Each year, the SSC offers constructive feedback and support for this management program. Oceano Dunes SVRA has continually implemented recommendations from the SSC,

including a night riding study, predator management activities, habitat enhancement, staff recruitment, year-round closure, and other management methods.

Despite having over 2 miles of shoreline within Oceano Dunes SVRA closed to OHV recreation year-round, the SSC has suggested further area be closed to study. DPR has found these recommendations contradictory to the scientific data it has collected because the SVRA area is more productive than the areas that are closed year round to OHV activity. Because DPR is the vanguard in shorebird protection of western snowy plover and California least tern protection, the Department will continue to operate in a fashion that has promoted the most success for these listed species. For example, the park produced more than half of all the California least tern chicks to reach fledge age in Santa Barbara and San Luis Obispo Counties.

Habitat Conservation Plan (HCP)

Oceano Dunes District continues to make progress on the HCP and is having quarterly meetings with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. While progress has been slower than originally anticipated, important steps are being made in identifying covered activities and assessing the potential for take from these activities. The Draft HCP is approximately fifty percent complete. When the draft is complete, the next steps will be to present the document through public meetings in a manner consistent with the NEPA and CEQA processes. California Coastal Commission staff has attended some meetings and are aware of the progress that is being made in completing the HCP.

TRT and SSC Process

As stated above, Oceano Dunes District has been diligently working with the TRT and the SSC since inception of Amendment 5 in 2001. The TRT/SSC process improvement recommendation contained in the TRT 14th Annual Report is supported and Oceano Dunes District is open to ideas to reinvigorate these groups to make their work more relevant to issues that may appear in the future.

Mr. Justin Buhr
February 9, 2015
Eight of Eight

Thank you for the opportunity to comment on this item. OHMVR Division looks forward to further opportunities to work with the California Coastal Commission. Oceano Dunes District is very proud to be a model of sustainable natural and cultural resource protection while providing coastal access to diverse socio-economic groups that enjoy a unique and iconic recreational opportunity.

Please feel free to contact me at brent.marshall@parks.ca.gov if you have further questions.

Sincerely,

Brent C. Marshall
Oceano Dunes District Superintendent
California Department of Parks and Recreation

Attachments: 1) A Brief History and Timeline in Use Limits
2) Documents Related to Particulate Dispersion for Oceano Dunes

cc: Chris Conlin, Kathryn Tobias, Ronnie Glick, Rick LeFlore

Attachment 1

A Brief History and Timeline in Use Limits

Below is a carrying capacity and equipment evolution that shows the wisdom of the CCC when they proposed interim limits.

- 1975 - SVRA GP – identifies carrying capacity 4300 figure (A5 pg 14)
- 1976 – Coastal Act
- 1975 – Farmers were using ATV's
- 1979 – Yamaha introduces an ATV
- 1980 - ATV use for recreational use increases
- 1982 - ODSVRA manages recreation at Oceano Dunes
- 1983- 500 Camping units allowed
- 1983 – SVIA is incorporated
- 1984 – Four Wheel operation
- 1991 – Peter Douglas memo changes limit to 1000 Camping Units allowed
- 2000 (approx.) concessions begin operating in the SVRA
- 2001 – Amendment 5 – using 1975 data

As you can see in the timeline above, the vehicle limits were set a decade before four wheel ATV's were invented and two decades before toy haulers were a popular recreational camping vehicle.

Attachment 2

Documents Related to Particulate Dispersion for Oceano Dunes

1. California Geological Survey - March 18, 2010 Letter: "Evaluation of the San Luis Obispo County Air Pollution Control District report, —South County Phase 2 Particulate Study, dated February 2010."
2. TRA Letter on Phase 2 Report, May 18, 2010: "Re: Published Phase 2 Report data does not support claims of association between Oceano Dunes State Vehicular Recreation Area visitor numbers and PM10 downwind."
3. California Geological Survey, Date: February 18, 2011, Subject: Oceano Dunes SVRA - Sand Grain Size Analyses, Part 1: Comparison of Sieved Sand Samples with NRCS Soils Data.
4. California Geological Survey, Date: August 11, 2011, Subject: Oceano Dunes SVRA - Sand Grain Size Analyses, Part 2: Microprobe Analyses of Grain Size and Mineral Composition
5. DRI Pilot Project Report, Date: September 15, 2011.
6. California Geological Survey, November 1, 2011: An analysis of Wind, Soils, and Open Sand Sheet and Vegetation Acreage in the Active Dunes of the Callender Dune Sheet, San Luis Obispo County, California.
7. TRA, November 2, 2011: "Re: New Information on Oceano Dunes SVRA Vehicle Activity and downwind PM10 that affects Rule 1001."
8. California Geological Survey memorandum, July 19, 2012: "Overview of Scientific Concerns Regarding Rule 1001 by the San Luis Obispo Air Pollution Control District."
9. DRI Spring 2014 Dust Control Proposal and appended Revision based on field recon, January 13, 2014 and February 18, 2014 (revision).
10. DRI 2013 Intensive Wind Erodibility Measurements at and near Oceano Dunes SVRA- Preliminary Report of Findings, July 9, 2014.
11. DRI Wind and PM10 Characteristics at the ODSVRA from the 2013 Assessment Monitoring Network, September 22, 2014.
12. DRI Spring 2015 Dust Control Proposal, November 17, 2014.
13. DRI Executive Summary of Spring 2015 Dust Control Proposal, December 4, 2014.
14. DRI Particle Size Analysis. Finalization of this document is pending.

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Sierra Club comments on ODSVRA annual permit review

Santa Lucia Chapter of the Sierra Club [sierraclub8@gmail.com]

Sent: Tuesday, December 09, 2014 6:27 PM

To: CoastalODSVRAcomments

Cc: Buhr, Justin@Coastal

We are pleased that the Coastal Commission is reinstating its annual review of the methods used to manage vehicle impacts in relation to coastal resources at the Oceano Dunes State Vehicular Recreation Area as required by coastal permit 4-82-300. We have a number of suggestions for measures to improve the effectiveness of efforts to protect this fragile coastal ecosystem and the threatened and endangered species of flora and fauna that inhabit the dunes:

Prohibit camping within 100 meters of enclosure areas, moving camping sites to back dunes areas with lower biological value than enclosure areas.

Allow campfires only in allowable campsites areas and/or designated beach areas.

Identify and implement alternative access, camping, vehicle riding and/or staging options within the SVRA boundaries so as to enable the reduction or elimination of north SVRA motorized access and uses that are incompatible with residential community interests and passive recreation.

Explore a funding source from the OHV Trust Fund within the SVRA budget to fund impact abatement measures, such as Strand Avenue dune stabilization and sand removal at sewer system-Pier Avenue restroom connection.

Require study or implementation of year-round closure of plover breeding areas to evaluate as an alternative to seasonal closure and determine which method better ensures viability of the habitat and continuation of the species. We have no expectation that State Parks will be more agreeable to this measure than they have been historically. When this issue was last addressed in 2007, the Chair of the Coastal Commission proposed "that the Secretary of Resources convene a meeting between our two agencies to resolve this impasse." Whether that meeting took place, there was obviously no measurable result. We urge the Commission to consult with the current Secretary to determine the usefulness of such a meeting in the near future.

Prohibit night riding and the use of high-intensity lights to aid in this activity. Shorebirds, including the threatened and endangered species State Parks is tasked to protect, are known to engage in night foraging. Night riding and the artificial lighting of same is clearly disruptive and a threat to the continuation of these species.

Close the Pier Ave. entrance and reroute traffic through the Grand Ave entrance, creating a pedestrian-friendly, child-safe natural extension of Pismo State Beach.

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Dissolve the Technical Review Team in favor of an EIR on the impacts of vehicular recreation on the dunes and a carrying capacity study to determine how many visitors per year in the dunes could be deemed environmentally sustainable. This is what was supposed to happen when Parks suggested the creation of the TRT as an alternative. The TRT alternative, as is readily apparent and widely admitted, has not been successful. An EIR and carrying capacity study should now be pursued.

Thank you for this opportunity to comment,

Andrew Christie, Director
Santa Lucia Chapter of the Sierra Club

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Request for Annual Review - 2013 letter

rachelle toti [rachelletoti@gmail.com]

Sent: Wednesday, December 31, 2014 8:24 AM

To: CoastalODSVRAcomments

Attachments: Figure 8_OceanoDune_sand_s~1.pdf (3 MB) ; OC-Map-ODSVRA.pdf (626 KB) ; 20130826_142240.jpg (2 MB) ; aug 24 huckfest.JPG (261 KB)

Dear Coastal Commissioners,

In 2013, I sent the following letter to Dr. Lester requesting an Annual Review of the Coastal Development Permit 4-82-300 for the Oceano Dunes State Vehicular Recreational Area. I am pleased to learn it will occur in 2015 and a comprehensive staff report will be available soon. I thought providing my original letter to the Commission with my recommendations might be of some value. Dr. Lester has the original with the enclosures.

Sincerely,

Rachelle Toti

December 2, 2013

Dr. Charles Lester, Executive Director
California Coastal Commission
45 Fremont St. Suite 2000
San Francisco, Ca. 94105

Dear Dr. Lester,

I am writing this letter of concern to request an Annual Review of Coastal Development Permit 4-82-300 for the Oceano Dunes State Vehicular Recreational Area (ODSVRA), San Luis Obispo County and a public hearing of same. The last such review that I have been provided occurred on February 1, 2007. Most of the management issues that were discussed then, are still on-going and new issues have arisen. I have attached a list of problems and potential permit violations which I feel the Commission should be made aware of so they may be addressed as soon as possible.

The Nipomo Dunes Complex is an important habitat for numerous species of rare plants and animals. The protection of this environment should be of higher priority than it appears to be. Management measures are not effectively protecting the environmentally sensitive habitat areas of the park, not to mention the Arroyo Grande Creek.

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The reason these annual reviews stopped after 2007 is unknown according to Jeannine Manna, Coastal Program Analyst, assigned to this complex issue. While I understand the CCC is in the process of or will eventually be reviewing an application from California Dept. of State Parks, these problems are so severe I feel they should be addressed separately. Given this, I hope you will see the need to resume Annual Reviews and take more timely action to address these concerns.

Sincerely,

Rachelle Toti
Protect Callender Dunes
Email: callenderdunes@yahoo.com

Cc: Dan Carl, Central Coast District Director
Jeannine Manna, Coastal Program Analyst
Fred Collins, Northern Chumash Council
Andrew Christie, Santa Lucia Chapter of the Sierra Club
Brian Trautwein, Environmental Defense Center
Gordon Hensley, San Luis Obispo Coastkeeper
John Buse, Center for Biological Diversity

ODSVRA Issues

Page 2

1. OHV Park management practices conflict with the provisions and intent of the Coastal Act and permit #4-82-300 conditions. The Coastal Act seeks to protect the flora and fauna in the coastal zone. ODSVRA management actions reflect their goal of expanding the riding areas at the expense of the natural habitat. Examples include: loss of 40+ acres of fore dunes; not allowing vegetation to expand in riding area by placing fencing less than 100 feet away; not studying Western Snowy Plover over-wintering and breeding as it relates to year around closure of 300 acres; not closing over-used and eroding areas as required by law; seeking ways to expand riding areas by combining or eliminating vegetated islands. (See attached page 1 from CGS report and Fig. 8 map)
2. ODSVRA management practices are allowing very large off-road events to take place in designated ESHA. These events include truck jumping such as "Huckfest" held August 23 to 25, 2013, in which the crowds became so large that the park was closed by 10 am on Saturday. (See enclosed Off Road Magazine article and ESHA map).
3. Low fledge rate for Western Snowy Plovers in 2012 (25%) and failure to comply with the recommendations of the Scientific Subcommittee to study year-around closure of nesting area.

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4. Non-compliance with amendment 4-82-300-A4 fencing is to be placed a minimum of 100 feet from vegetated islands. (See photos).
5. Non-compliance with Amendment 4-82-300-A2. Page 4 reads, "Vegetated Dune Areas, whether they are fenced or unfenced, are strictly off-limits to all vehicles". According to a 2007 report by the California Geological Survey, unfenced vegetation disappeared in many areas of the park. (See attached Exhibit A List of vegetated islands lost and Veg Loss map). Further, in Appendix D of the CGS report there are "Suggested Management Options" which include opening some of the vegetated islands to riding, thus destroying what is left of the dune vegetation. (See attached example pages 34 & 72).
6. Non-compliance with Coastal Commission request to prepare a Habitat Conservation Plan which was begun in 1994.
7. Non-compliance with CDP to establish permanent staging areas within a specified time frame . As this was not done, review of the permit and modification by the Commission is in order.
8. Non-compliance with the South County Coastal Plan which required an area for "Non ORV dependent uses" where the residents and visitors can enjoy such activities as walking, sunbathing, bird watching, fishing, etc. without constant vehicle traffic. ((see attached page 8-10).
9. Failure to protect vertebrates, invertebrates and plants existing on or under the beach sand and dunes sands. Failure to protect the steelhead trout and tidewater goby migrating up and down the Arroyo Grande Creek, from excessive vehicle trips and traffic. See video of creek crossings.

ODSVRA Issues

Page 3

1. Failure to control fine particulate matter emissions emanating from the park's overused riding areas which damage the plants, animals and humans in the immediate vicinity and up to 12 miles downwind. See attached APCD 2013 Community Monitoring Report with aerial photos of dust plume).
2. Non-compliance with Public Resources Code section 5090.35 which state "The protection of public safety, the appropriate utilization of lands and the conservation of land resources are of the highest priority in the management of the state vehicular recreation areas; and, accordingly, the division shall promptly repair and continuously maintain areas and trails, anticipate and prevent accelerated and unnatural erosion, and restore lands damaged by erosion to the extent possible". See photo of fence down and refer to Exhibit A and Fig. 8 map.
3. Failure to manage the park to the standard set in the CDP and Public Resource Code to protect public safety and the adjacent community values. This park has the highest crime rate of all parks in the State. See 2010 Tribune article and YELP comments.
4. Failure to protect nocturnal animals from disturbance by night riding which subjects them to increased dust, lights, noise, vibration. Disturbance of the Western Snowy Plover and Least Tern ability to nest and

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roost at night.

5. Failure to protect archeological sites within the SVRA. Many Chumash sites are reported to be in this area, however there are only three Indian middens which are fenced. Even these, have openings for the public to enter and disturb the midden. See photo of midden with tracks.

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Recommendations

1. The Coastal Commission approved the moving of the fence on the La Grande tract in amendment # 4-82-300-A3 which conflicted with the provision of amendment 4-82-300-A2, "Vegetated Dune areas, whether they are fenced or unfenced, are strictly off-limits to all vehicles". Further, amendment A-3 conflicted with the provisions of the San Luis Obispo County Local Coastal Plan which specified the La Grande tract to be a "buffer area" both in its 1988 document and its 2004 document. The Coastal Commission certified these plans and map, after moving the fence, but apparently did not realize the fence should have been returned to its original location as stated in Coastal Development Permit 4-82-300 " Along the seaward side of the fore dunes paralleling the beach where fencing may be placed in a manner similar to that already existing along the westerly line of the State Dune Preserve except that a minimal number of breaks in the foredune fencing outside of the dune preserve may be allowed for OHV access to the backdune area" . This sentence clearly shows that there were foredunes on the La Grande tract in 1982 and that the Coastal Commission intended to protect them. Restoration of these foredunes should be of highest priority. The fence should be placed in alignment with the western most fence of the Dune Preserve, without any openings to the back dunes. This re-establishes the "Buffer Area", will allow the foredunes to re-grow and will reduce the particulate matter emanating from this parcel.
2. Reduce the number of OHV vehicles permitted in the park. With the return of the OHV Park to its original size of 810 acres, a similar reduction in off-road vehicles is necessary.
3. Reduce the number of campsites. Require campsite markers be installed and enforcement of the number of campers and vehicles per site be enforced. Identify an area for Non-ORV dependent uses. Prohibit roping off beach areas with "caution" tape or any other similar items to restrict access. Increasing the number of campsites has resulted in loss of beach access to the non-camping public, unlimited numbers of people and vehicles at each "campsite", aggressive behavior toward others trying to camp on the beach, and increased trash and scraps of food which attract predators, a hazard for the Western Snowy Plover.
1. Close the Arroyo Grande Creek to vehicle traffic. State Parks can obtain a portable bridge(s), to allow vehicles to pass over the creek, until they have established a permanent entry that is not as environmentally damaging. If the Creek expands during storms to a width that cannot be

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accommodated by the bridge, the park should be temporarily closed to vehicles. This is only common sense, as many vehicles attempt to cross in over 3 feet of water and get stuck, requiring assistance.

1. Require the Western Snowy Plover study and the Habitat Conservation Plan be finished within a specified time frame. Continuing to put off Coastal Commission decisions about the park in the hopes they will be addressed in the HCP is unacceptable. There is no incentive to complete the Plan, when by delaying they have avoided any accountability for the damage already caused.

Recommendations continued

Page 5

2. Require that the irreplaceable Native American artifacts be protected. Request a list of the known sites from the Northern Chumash Tribal Council executive director. Protect these sites.
3. Discontinue night riding which disturbs endangered and threatened species and is obviously hazardous to animals and humans. Five of the eight SVRA parks do not allow night riding.
4. Schedule annual reviews of management practices in perpetuity. Include input from members of the public, environmental groups and Chumash Council representatives.



Acreage Results within Ocean Dunes SVRA & Pismo Dune Preserve Boundaries

	Total Acres
Open Sand Sheet Present in 1930's and 2010 Imagery	2,618
Vegetation Gain (Open Sand Sheet Present in 1930's Imagery Only)	968
Vegetation Loss (Open Sand Sheet Present in 2010 Imagery Only)	316

Total Vegetation Gain: 652

Acreage Results for Land Bounded by dashed lines

	Total Acres
Open Sand Sheet Present in 1930's and 2010 Imagery	1,861
Vegetation Gain (Open Sand Sheet Present in 1930's Imagery Only)	450
Vegetation Loss (Open Sand Sheet Present in 2010 Imagery Only)	254

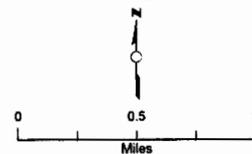
Total Vegetation Gain: 196



Figure 8

**Comparative Analysis of 1930's and 2010 Aerial Imagery
Ocean Dunes State Vehicular Recreation Area and Vicinity**

-  Ocean Dunes SVRA State Park Boundary
-  Pismo Dune Preserve



Source: Fairchild, 1930; US Army, 1939; NAIP, 2010, US Department of Agriculture - Farm Service Agency



State Vehicular Recreation Area

Oceano Dunes

349 James Way, Suite 470 - Pismo Beach, CA 93449 - 805.773.7170

Grand Avenue Park Entrance

W Grand Ave

E Grand Ave



Pacific Ocean

Pacific Ocean

Oceano Dunes SVRA Map Legend

- DMV Recreation and Camping Area
- Street Legal Vehicles Only
- Closed to All Use March 1 - Sept. 30
- Closed to Motorized Use
- Closed to Motorized Use
- Closed to Public Use
- Fence
- ADA Accessible Beach Boardwalk
- Restrooms
- Beach Post Workers
- Sand Highway Workers
- Points of Reference
- RV Dump Station
- Entrance Station

Park Rules and Regulations

You are responsible for knowing park rules and regulations. All provisions of the California Vehicle Code are enforced. A copy may be found at <http://www.dmv.ca.gov/pubs/vehcode.htm>.

The term DMV means off-highway vehicle. Any motor vehicle operated off-highway is an DMV. A highway licensed vehicle is an DMV when operated off of the highway. Vehicles having green and red stickers are DMVs.

ACCIDENTS: Open containers and DMV laws apply off-highway just as they do on-highway. Don't drink and drive.

DMV LAWS: There are laws which apply specifically to the operation of DMVs only. For more complete information please see reverse page.

DMV'S: DMVs must be kept on a beach at all times. Please clean up after your DMV.

LIGHTS: DMVs operated between sunset and sunrise must display at least one lighted white headlight and one lighted red taillight visible from 200 feet.

NOISE LIMITATIONS: The law limits noise emissions from all DMVs. Noise emissions for most DMVs are limited to not more than 90 dB(A) when measured from a distance of 20 inches using standardized test procedures. For more specific information, go to http://dmv.parks.ca.gov/vehicle_emissions.

SEARCH AND SEIZURE - ALL CONTAINERS: All operators of off-highway vehicles must be able to search and operate all containers.

RESTRICTIONS: When operating an DMV you must display either a license plate or an DMV sticker. DMV stickers include "Green Stickers," "Red Stickers," California Nonresident DMV (see Parks), and DMV stickers from states that have an DMV program.

SPARK ARRESTORS: All vehicles operating off-highway must be equipped with either a steel legal muffler or a spark arrester maintained in effective working order.

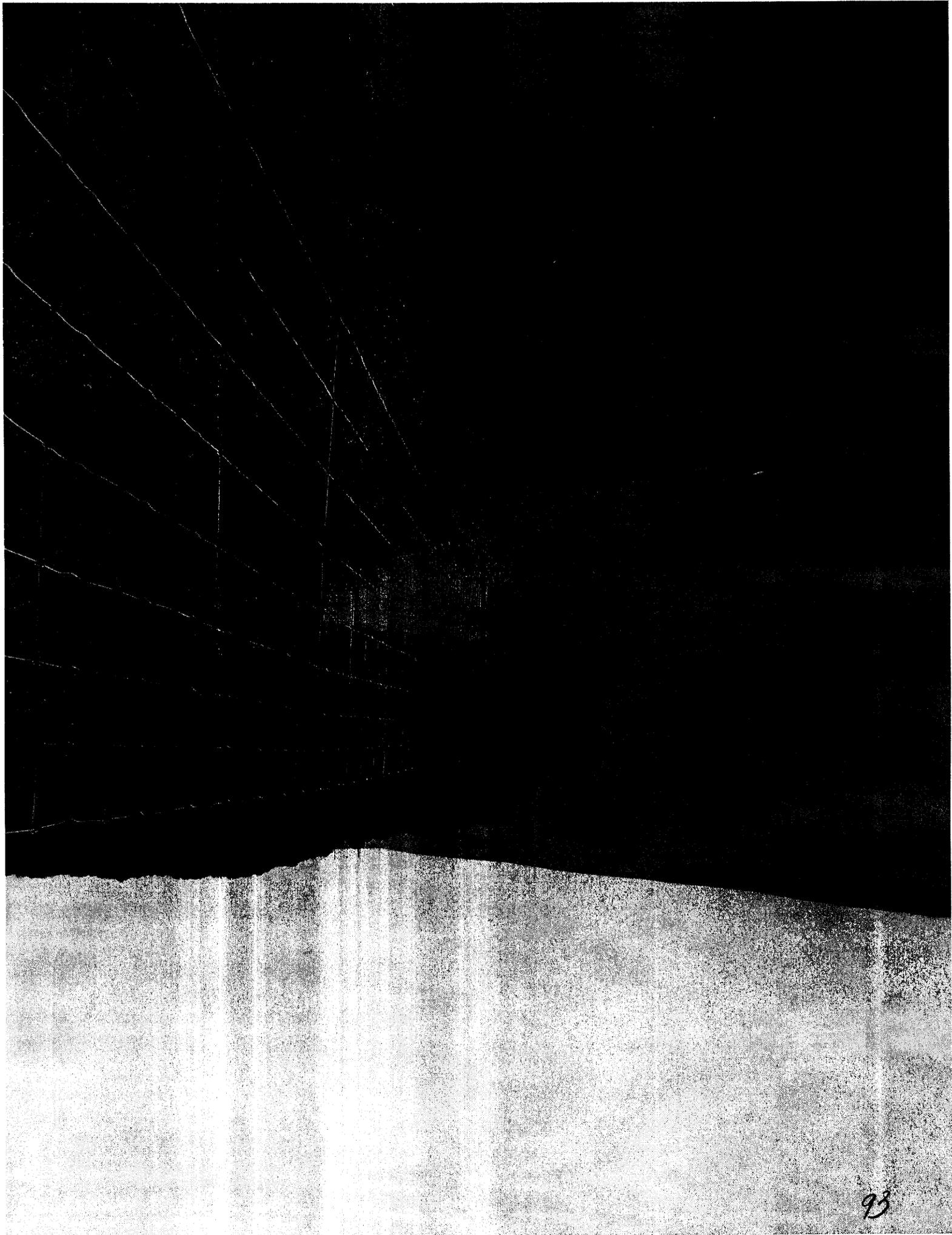
SPEED: The speed limit is 15 mph on the beach and in carrying and stowed areas. Never drive faster than is safe for conditions.

SUSPENDED OR REVOKED LICENSES: Anyone whose driving privileges have been suspended or revoked is prohibited from operating any motor vehicle, on or off-highway.

VEGETATION: It is never legal to run over vegetation.

WHIP AND FLAG: All off-highway registered vehicles must have a whip and flag to operate on Oceano Dunes SVRA. All highway registered vehicles must have a whip and flag to operate in the dunes.

Locations of features are approximations. Actual locations of some features may vary even from year to year due to weather, maintenance and other factors. Observe all signs, and use appropriate caution when traveling through the park.





Coastal Development Permit 4-82-300

Lucia Casalinoovo [luciagalore@gmail.com]

Sent: Sunday, January 25, 2015 2:01 PM

To: CoastalODSVRAcomments

Dear Commissioners and staff,

I am Lucia Casalinoovo, a resident of Oceano, San Luis Obispo County.

Thank you for reading the following letter and thank you for the interest you showed about the off road vehicles on Oceano Beach and Dunes. This year, after 8 long years of silence, you will hopefully and finally perform the annual review of the 1982 Coastal Development Permit 4-82-300 that gave off roaders access to the off road area known as Oceano Dunes State Vehicular Recreation Area (ODSVRA). Some of you are new to this office and don't know much about this issue. Those of you who were around in 1982 have most likely forgotten. When you will study the issue and look at documents and maps for the annual review, please make sure you inquire from a variety of sources. Parks has manipulated, omitted, and changed documents and maps to its advantage. Please consider Safe Beach Now a source of information: some of us have lived here for forty years; some of us know all about ODSVRA.

When Director Lester gave you the history of ODSVRA in a nutshell at your last year meeting in Pismo Beach, he was accurate when he stated that people have been driving on Oceano Beach and Dunes for decades before the Coastal Commission and Coastal Act were established. The first step in "legalizing" the off road activities on Oceano Dunes, or Pismo Dunes as they are often called, was the approval of the Pismo State Beach and Pismo Dunes General Development Plan and Resource Management Plan prepared by State Parks (<http://www.pismo-beach.org/DocumentCenter/Home/View/456>) by the South Central Coast Regional Commission in 1975. Basically, with that approval, the Coastal Commission grandfathered in the so called historical use of the dunes. Please take time to read it. Pay particular attention to page 81-83, a letter from the South Central Coastal Regional Commission dated March 12, 1975 to William Penn Mott, Director of State Parks.

However, the Department of Parks and Recreation began active management of ODSVRA only in 1982, when the South Central Regional Coastal Commission approved Coastal Development Permit 4-82-300. This was the second step. Thanks to this permit, Parks constructed fencing around small sensitive habitats to protect them from off roading, thus establishing that whatever was outside the fence was territory for off roading activities. The off road park was thus created, physically, on the sand and on the maps. In addition, Parks placed two kiosks for access control at Grand and Pier Avenue.

Nevertheless, that original permit recognized the difficulty in developing access and staging areas because ODSVRA is land locked. The permit set out a phased approach for establishing an interim and permanent access and staging area. According to that original permit the kiosks on Pier and Grand Avenue and the driving on Oceano Beach were supposed to be temporary. The permit required Parks to investigate and create an alternative, non-environmentally-damaging entrance. The permit required an annual review. It was 1982. Since then, Parks has done some research and declared that there is no alternative non-environmentally-damaging entrance. Therefore, Pier Avenue, Grand Avenue, and Oceano Beach have become the permanent access and staging area.

Director Lester stated that "driving on the dunes is provided for by State Parks legislation".

Here is a quote from Exhibit E, Resource Values Of the Nipomo Dunes, included in your staff summary of material from the substantive file documents for 1982 Coastal Development Permit 4-82-300 :

Coastal Dunes are one of the most unstable, and therefore fragile, habitat types found in the Coastal Zone. The Nipomo Dunes complex, of which the State Park is a part, is the largest example of this habitat type in California. The complex extends South from the city of Pismo Beach nine miles to the mouth of the Santa Maria River... In recognition of the outstanding resource value of the Nipomo Dunes complex, the area was designated a Natural National Landscape by the National Park Service in 1974. However, at this point in time there is some interest by the Park Service to remove the National Landmark designation because of the severe degradation which has occurred to the resources over the past 16 years. The resource value of the Nipomo Dunes complex was most recently recognized by the US Fish and Wildlife Service which gave the area the highest priority ranking in a state wide survey of wildlife habitats needing protection...

Driving on Oceano Beach and Dunes, the so called **historical use**, is in my opinion a destructive behavior that developed when Oceano was still the Wild Far West. In 1975 and 1982 the CCC missed the opportunity to exercise the mandate for which it had been created, and to stop the driving on Oceano Beach and Dunes by declining to cooperate with State Parks. However, it's not yet too late. As you have recognized in the original coastal permit of 1982, the difficulty in developing access and staging areas still exists. The off road park is land locked; there is no way around it. There is not environmentally undamaging access. The present access, Pier/Grand Avenue and Oceano Beach, is damaging to people. We locals of Oceano Beach community are completely ran over by the off-road park visitors on their way to their final destination. There are so many of them! The residential character of the community of Oceano has been destroyed. People don't want to rent or live here anymore. Pier Avenue is lined almost exclusively with stores that cater to off roaders.

Furthermore, a new problem has become apparent: PM10. You know all about it. PM10 is why Parks is applying for a permit to install more air monitoring stations. The CCC should not approve the request. The truth is that our county already did two studies and found that PM10 particles come from ODSVRA. Parks claims these studies are unreliable and wants to do its own studies. Please deny them permit to put more towers and more wires and more of anything on our beach and dunes. If you do so you are in a fact saying too that our APCD's studies are worthless.

To you it is just five miles of beach. To us people who live, work, and want to recreate here peacefully, it is our beach, our dunes. The Chumash people walked on Oceano Beach and Dunes for thousands of years; people of all ethnic groups and wildlife have been walking on Oceano Beach and Dunes for hundreds of years before cars and off road vehicles took them over. Oceano's neighboring coastal towns have developed into cozy, friendly, attractive tourist towns. On the other hand, Oceano is still the Wild Far West: dirty, noisy, dangerous.

The presence of ODSVRA is a terrible nuisance to all of us residents and to the many people who want to walk and play safely on the beach. The number of ODSVRA's visitors has increased so much that the fence you let them install in 1982 is not sufficient to contain their nuisance any longer. You need to keep up with what is happening on our beach and dunes now. It is not what was happening in 1982, let alone at the beginning of the century for what they claim historical use. The number of cars on our beach and dunes is overwhelming. There is no room for anything else, pedestrians or wildlife alike. Please stop them. Yes, the Coastal Commission has the power to rule that the requirements of Coastal

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Development Permit 4-82-300 haven't been met, that there is no environmentally undamaging access, and that the interim access and staging area permit has expired !!!

At the Pismo Beach March meeting, Director Lester ended his nutshell summary by stating that it comes down to who has more authority, State Parks or Coastal Commission. I think he hit the nail right on the head: you would never let a private enterprise, a common citizen, a business, a land owner get away with so much destruction and nuisance. But you are letting the State get away with it. The devastating implication of this connivance is that we are not really all equal under the law. What else is there?

Thanks,

Lucia Casalinoovo
16 21 23rd Street
Oceano, Ca 93445
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luciagalore@gmail.com

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Oceano Dunes State Vehicular Recreation Area (ODSVRA) CDP

Richard Wishner [rwishner@rwishner.com]

Sent: Sunday, January 25, 2015 4:16 PM

To: CoastalODSVRAcomments

Sir;

My comments are with respect to Oceano Dunes State Vehicular Recreation Area (ODSVRA) CDP item 14A on the agenda for your February 11-13 meeting. Unfortunately I cannot make this meeting. The State Parks have done little to mitigate the air pollution problem caused by the OHVs running on the sand dunes. They appear to be playing games trying to only reduce the reading of the CDF monitor by placing hay bales in the path to the station that do not mitigate the air pollution in other directions. My observation is that the OHV have caused a decrease in the snowy plover population.

I recommend that you revoke the state parks permit to operate.

Richard P. Wishner
Nipomo, CA

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Oceano Dunes

medea snyder [medeasnyder@gmail.com]

Sent: Monday, January 26, 2015 3:04 PM**To:** CoastalODSVRAcomments

I live at 324 Surf Avenue, Oceano four doors down from the Strand. Was delighted beyond belief to have a dream beach house. However on the weekends the air quality is terrible. Driving down Pier Ave. immediately get a headache. Often unable to see the end of my street. Have neighbor who has chronic cough from living here. Entertaining on my roof that we have spent a great amount of money to remodel is a challenge on the weekends due to the dust. Hope there is some way to resolve our health issues.

Sincerely,
Medea Snyder

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Oceano Dunes State Vehicular Recreation Area Coastal Development Permit (CDP) Review

JOSEPH BRISKEY [jbriskey@icloud.com]

Sent: Friday, January 30, 2015 2:41 PM

To: CoastalODSVRAcomments

We are greatly concerned about the current increased cancer risk from airborne silica generated by vehicle use in the recreation area. If this risk cannot be mitigated to levels safe for everyone, we will become politically active advocates for closing the area to all vehicles. No excuses or delays please.

Thank you,

Joseph and Cheri Briskey
1425 Trail View Place
Nipomo, CA 93444-6665

703-298-4277☎, Joe cell
703-304-4754☎, Cheri cell
805-219-0076☎, Home

jbriskey@icloud.com
cheribriskey@icloud.com

blank page

Pamela S. Dunlap
Arroyo Grande, CA 93420
February 4, 2015

Justin Buhr, Coastal Planner
Central Coast District Office
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Subject: February Meeting, California Coastal Commission
Item 14.a: Oceano Dunes State Vehicular Recreation Area
Coastal Development Permit 4-82-300 Review

Dear Mr. Buhr:

I am a fourteen-year resident of the Nipomo Mesa. My property is located downwind of the La Grande Tract which is located on the Oceano Dunes State Vehicle Recreational Area. I was an original founder of Concerned Citizens for Clean Air and along with many others, was very active in trying to work to solve the problem of high particulate levels on the Nipomo Mesa emanating from the riding area of the ODSVRA, primarily to La Grande Tract. I am now mostly inactive due to family illness but feel compelled to send my comments regarding the CDP 4-82-300, which is to be reviewed during your February meeting.

When we moved here in 2001, we were required to sign a disclosure that we knew the ODSVRA existed and that there was noise emanating from it. For many years, we were disturbed by the noise, especially at 2AM and on holiday weekends. In the last two or three years, noise levels have increased substantially with the result that, on the Saturday of Labor Day weekend, 2014, the noise from the ODSVRA sounded like my neighbor was running a chain saw for six hours. Apparently State Parks decided to use the La Grande Tract to train new riders, with their unmuffled, non-compliant vehicles. State Parks needs to start reinforcing their noise regulations.

Over the years, the county had allowed upscale residential developments to be built on the Nipomo Mesa. As can be seen from the map in Exhibit 2, page 1 of 6, of the CCC staff report, some of these new developments were within a mile or two of the riding area; and Trilogy, although several miles away, was directly downwind of the riding area.

We were quite UNaware of the existence of high concentrations of carcinogenic silica particulate blowing onto our properties from the ODSVRA. All that changed with the publication of the Phase 2 Particulate Matter Study from the San Luis Obispo Air

Pollution Control District in 2010. The study advised that wind-blown dust originating from the riding areas of the ODSVRA were exceeding state standards for particulate matter 40-60 days per year. Those of us who fall into the category of at-risk individuals (children, the elderly, those with heart and lung diseases) were shocked and took steps to protect ourselves by staying indoors, wearing masks, and outfitting our homes with air purifiers.

We were impatient to figure out mitigations for this air pollution. We attended meeting after meeting, only to learn how slow the process of government is. We were repeatedly told to be patient and to let the system work.

It has not.

We are under siege on the Nipomo Mesa. State standards were exceeded 93 times in 2014 (California Air Resources Board, AQMIS2, 2014). Each day each of us must determine whether it is safe to be outdoors, since the highest particulate levels are usually between 11AM and 5PM. What is not evident in the state or federal standards is that our *hourly* PM10 readings at CDF can exceed 500 or 600 ug/m3.

The astounding thing to me continues to be how State Parks has worked diligently to undermine any efforts to solve the problem. At first it was that they objected to the methodology. Then they flat out said it was a natural problem, not caused by OHVs. As late as 2013, a representative from California Geological Survey was taking anyone and everyone he could find for "tours" of the riding area to show them that the wind blown particulates coming off the riding area was a natural phenomenon. State Parks teamed up with the major Off-Highway Vehicle organization to stall and fight and do whatever they could to change the direction of the conversation. They even joined the group in a lawsuit.

Rule 1001, which was promulgated by the APCD in 2012, had several compliance dates which were set to move State Parks along in the process of developing a plan to mitigate the particulates (PMRP). As of the December, 2014, APCD meeting, not ONE of these compliance timelines has been met. When State Parks finally got around to developing some mitigations measures, the placement of them and what they used was not just questionable, but ridiculous. (See exhibit 15, pages 8-9 for Dr. Koteen's analysis of the methodology State Parks used.)

Even now, with several different reports, including one from Desert Research Institute, which State Parks hired, pointing to the La Grande Tract as the main source of the particulates, State Parks is working to eliminate the federal exceedances at the CDF site rather than work to reduce the health effects of the particulates on residents of the Nipomo Mesa.

The time for patience is past. At the rate this process is going, we will never see relief. No one has held State Parks accountable for the time and money wasted. They continue to use flawed reasoning to come up with obscure solutions. The process is not working.

So here is what the residents of the Nipomo Mesa need:

- Using the locations of the foredunes in the Pismo Dunes Natural Preserve to the north and the Oso Flaco area to the south, determine where the foredunes should be in the La Grande Tract.
- Place fencing west of this area, just inland enough to allow ingress and egress of vehicles from the interim staging area at Post 2 to the riding area. The area east of the fencing is to be off-limits to all uses, including camping.
- Revegetate this area with native plants.
- Restore the majority of the La Grande Tract to its original purpose as a buffer area.

Based on the studies done in the last few years, it will not take much time to see the results of the revegetation. Particulate levels should plummet quickly after successful revegetation .

It has never been the intention of the group I was affiliated with to close down the ODSVRA. We understand how passionate some locals and out-of-area visitors are about this recreational activity. We understand it is one of the largest and most profitable parks in the State Parks system.

But enough is enough. The stalling must stop. State Parks must get serious about its commitment to protecting the environment and aligning itself with community values. (San Luis Obispo South County Coastal Plan, p. 8-8.4)

The County Board of Supervisors could solve our problem by terminating the month-to-month agreement with State Parks, but they won't. The APCD Board has fooled around with this for five years, with no results; so we expect nothing from them, even though controlling air pollution is their job. The California Coastal Commission is our last chance.

While it is understood that no action is to be taken at this meeting, it is imperative that the California Coastal Commission Board advise staff to start the process of planning for the mitigations outlined above to be included in the process, post haste.

Thank you for your time in addressing this matter.

Sincerely,

Pamela S. Dunlap

NOTES AND PHOTOS

Note 1: I attended a TRT meeting in December, 2010. I was appalled at the sarcastic comments directed toward the air pollution issue and the general ineffectiveness of the group. The group was skewed toward the off-road enthusiasts with no one representing Nipomo Mesa residents' interests. It should be disbanded.

Note 2: Huckfest is a very popular event at the ODSVRA. The event organizers and State Parks did a much better job of managing the crowd and controlling impacts in 2014. Unlike previous years, we had no noise impacts from the event. But this event is for-profit for the organizers and those without tickets cannot use the park on those days. Is this a use that was intended by the original permit?

Note 3: An issue that is never mentioned is the number of injuries and deaths which occur each year on the ODSVRA. It is a very dangerous place. Under the legislation enabling the SVRA system, State Parks cannot be sued for deaths or injuries (See *Mercer vs, State of California* , 1987). And they refuse to make any morbidity or mortality data public.

PHOTOS



Photo 1: Taken 5/26/13, at 3PM. Looking south from Oak Park Blvd., Grover Beach, CA. ODSVRA out of the photo to the right. Nipomo Mesa the small hill to the left. This is not fog; it is particulate. (The light clouds above the plume are not part of it.)

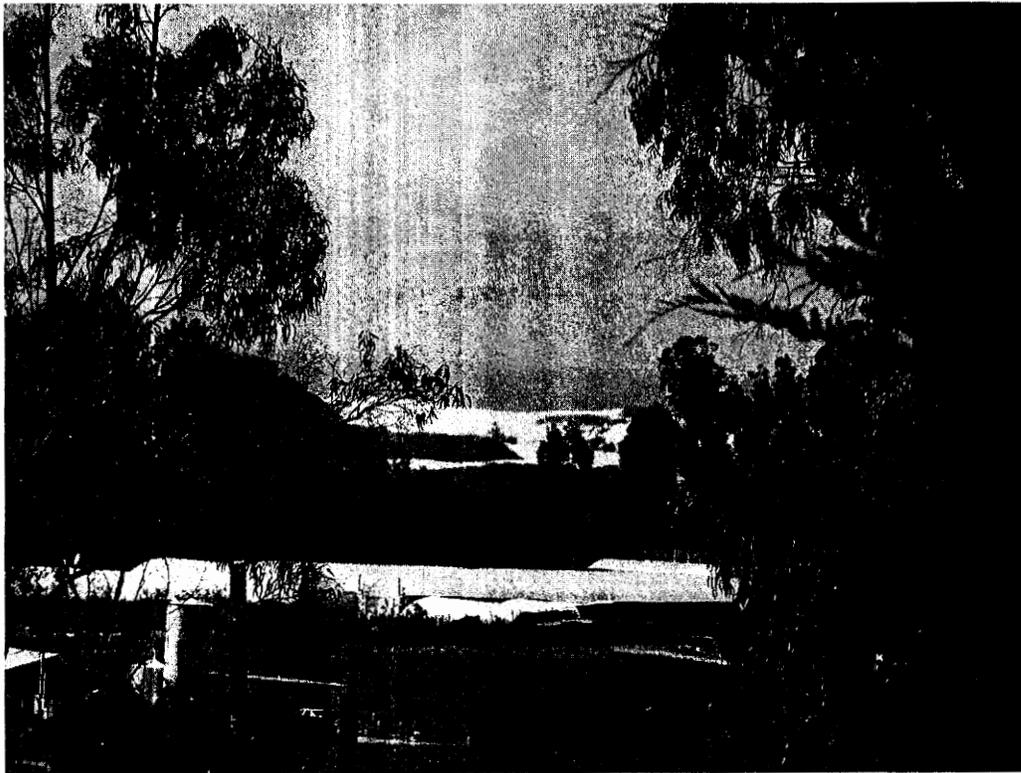


Photo 2: Taken 2/20 PM on 9/9/2010. A view from the Nipomo Mesa toward the dunes.



Photo 3: Taken 5:30 PM on 9/9/2010. The same view, with particulates. This is not fog.



Photo 4: Taken 6/20/2010 at 9AM. A view on the Nipomo Mesa.



Photo 5: Taken 6/20/2010 at 8PM. Same location, with particulates. This is not fog.

Clean Air

Richard Wishner [rwishner@rwishner.com]

Sent: Monday, February 02, 2015 10:22 PM

To: CoastalODSVRAcomments

Dear Coastal Commissioners;

I am a senior citizen who lives on the Nipomo Mesa. As you aware we have a serious air quality problem cause by dust plume of particulate matter (PM 10 and 2.5) coming from the OHV park. We typically have over 80 days a year of exceedance of the state standard for PM10. These exceedances not only effect my lungs but more importantly the lungs of children growing up in my area.

The State Parks have had years to take appropriate mitigation steps but have made nil progress. According Larry Allen of the Air Pollution Control District, the State Parks have not met any of their original or extended mitigation milestones. Others tell me the State Parks are playing games. They are trying to reduce the pollution measurements at the metering station without regard to the pollution in the surrounding areas.

I had hoped there would be a win-win outcome wherein by taking serious pollution mitigation steps we could have both the OHV park and clean air. This appears unlikely with the current State Park management. I therefore suggest that you cancel the permit to State Parks operate OHR until State Parks can show that they have achieve state air pollution standards.

Dr. Richard P. Wishner
1438 Vicki Lane
Nipomo, CA 93444
rwishner@rwishner.com

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2/10/2015 12:29 PM

Send

Options...

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Subject:

B **I** **U**

From: rachelle toti [rachelletoti@gmail.com]
Sent: Tuesday, February 03, 2015 9:48 AM
To: CoastalODSVRAcomments
Subject: Comments for Commission

Dear Commissioners,

Attached please find the following items which document the negative impact the air pollution coming from the OHV park has had on our neighborhoods.

- 1) APCD brochure on Air Quality for Nipomo Mesa
- 2) Medical Advisory from Public Health Officer
- 3) Real Estate Disclosure for Monarch Dunes/Trilogy development (only portion concerning air pollution and SVRA).

As the agency tasked with overseeing the vehicle impacts, I hope you will take steps to reverse the overuse and degradation of the La Grande tract as soon as possible.

Sincerely,

Rachelle Toti

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TRILOGY MONARCH DUNES – COMMUNITY DISCLOSURE STATEMENT

Homesite/Unit No. of Tract No.

Welcome to "Trilogy Monarch Dunes" master planned residential community (the "*Community*"). We are pleased you have decided to purchase one of our new homes. (referred to in this Community Disclosure Statement as a "Homesite" and in your Purchase and Sale Agreement as the "Property").

This Community Disclosure Statement ("*Disclosure*") discloses various matters which might affect your decision to purchase. Please read it carefully. Because much of the information included in this Disclosure has been obtained from other sources (e.g., governmental and other public agencies, public records, etc.) and because the information is subject to change for reasons beyond our control, we cannot guarantee the accuracy or completeness of any information disclosed. Further, we do not undertake any obligation to advise you of any changes. You should independently verify the information regarding any matter of concern to you regarding this purchase. We also strongly recommend that you visit the Community and drive around the general vicinity surrounding the Community on at least several occasions, on different days and at different times to familiarize yourself with physical and other conditions to determine whether there are material factors that might affect your decision to purchase a Homesite. Since we cannot predict every circumstance which may be material to you as a buyer, it is imperative that you satisfy yourself about the decision to purchase by investigating matters of concern to you.

As part of your purchase of a Homesite in the Community, you will receive other documents and disclosures, including without limitation the Woodlands Governing Documents as defined below (collectively, the "*Purchase Documents*"). This Disclosure is not intended as a substitute for your review of the Purchase Documents, nor does it amend, modify or supersede the Purchase Documents. This Disclosure shall be interpreted in a manner consistent with the Purchase Documents whenever possible. If there is an inconsistency between the Purchase Documents and this Disclosure, unless otherwise expressly provided in the Purchase Documents, the Purchase Documents will control. Except as otherwise provided herein, capitalized words and phrases used herein shall have the meanings given them in the Central Coast Declaration (defined below).

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Resources Board, diesel engines emit a complex mixture of air pollutants, composed of gaseous and solid material. There are health risks associated with exposure to those pollutants. The level of health risk depends on length of exposure and proximity to emission sources. There have been odor complaints associated with the Santa Maria Refinery and notices of violation due to refinery operations in the past. According to the Refinery Rail Spur DDIR, principal immediate hazards to public health at an oil refinery consist of explosions, fires and toxic releases.

For more information about the Santa Maria Refinery and the changes to the refinery proposed by Phillips 66, Buyers should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Room 200, San Luis Obispo, CA, (805) 781-5600, www.slocounty.ca.gov/planning.htm, and the San Luis Obispo County Air Pollution Control District, 3433 Roberto Court, San Luis Obispo, CA 93401, (805) 781-5912, info@slocleanair.org.

47. Underground Oil Line. Underground oil pipelines, including pipelines owned by Phillips 66, are located in the vicinity of the Community. Due to the close proximity of pipelines to the Community, potential impacts include the possibility of explosions, air pollution or soil contamination from leakage of the oil. By acceptance of the deed to a Homesite, Buyer acknowledges and agrees that Seller has no control over the use, maintenance or care of these pipelines. Work crews may repair or maintain the pipelines at any time of the day or night and may generate noise, use night lighting and cause other inconveniences to Community residents. In the event of an emergency, Buyers should call 911.

48. Oceano Dunes State Recreational Vehicle Area. Oceano Dunes State Recreational Vehicle Area (SVRA), formerly Pismo Dunes SVRA, is an approximately 3,500 acre recreation area located approximately 2 miles west of the Community. Oceano Dunes SVRA is one of several off-highway vehicle (OHV) areas administered by the California Department of Parks and Recreation. Recreational activities at Oceano Dunes SVRA include, but are not limited to, driving off-road vehicles on sand dunes, swimming, surfing, surf fishing, camping, and hiking. There could be noise, dust, blowing sand and other nuisances generated from the use of this recreational area and Buyer accepts all such nuisances. According to a report by the San Luis Obispo County Air Pollution Control District, off-road vehicle activity at Oceano Dunes SVRA is the primary cause of high particulate levels in the area of the Community. In November 2011, the Air Pollution Control District adopted Coastal Dunes Dust Control Rule 1001, a set of regulations that would require Oceano Dunes SVRA to prepare a particulate matter reduction plan and to begin implementing the plan by February 2013. For more information about particulate levels, Buyers are directed to the section below titled "Nipomo Mesa Airborne Particulate Matter." A copy of Rule 1001 is currently available online at www.slocleanair.org/air/pdf/2011/RULE1001.pdf

49. Nipomo Mesa Airborne Particulate Matter. According to the San Luis Obispo County Air Pollution Control District (the "SLO APCD"), historic ambient air monitoring has shown that particulate concentrations on the Nipomo Mesa, an area of San Luis Obispo County in which the Community is located, are significantly higher than other areas of San Luis Obispo County and that the California health standard for PM10 (airborne particles with a mean aerodynamic diameter of 10 microns or less) is regularly exceeded in many locations on the Nipomo Mesa. According to a study by the SLO APCD titled "South County Phase 2 Particulate Study," dated February 2010 ("APCD Report"), the airborne particulate matter on the Nipomo Mesa predominantly consists of fine sand material transported by high winds from coastal dune areas. The APCD Report suggests that off-road

vehicle activity at the Oceano Dunes State Recreational Vehicle Area is a major contributing factor to the high PM10 levels.

An earlier study by the SLO APCD, titled "Nipomo Mesa Particulate Study 2007," advised that all fine airborne particulate matter, regardless of compositions, can cause respiratory distress when inhaled, especially to the very young, the elderly and those with compromised respiratory systems. Sand particles are high in crystalline silica and the International Agency for Research on Cancer ("IARC"), a division of the World Health Organization, has classified inhaled crystalline silica from occupational sources as carcinogenic to humans. The IARC conclusions were based on occupational exposure and Seller is not aware of any quantitative risk assessment for low exposure (i.e. non-occupational exposure) to inhaled crystalline silica.

In September 2011 the SLO APCD approved a short-term air monitoring project to better understand the distribution and community impacts of the particulate emissions plume originating from Oceano Dunes. The project involves, among other actions, the placement of numerous air monitors throughout the Nipomo Mesa area. The monitors are intended to sample the air for particulate matter during March, April and May, the windiest time of the year. A report on the findings of the monitoring project are expected to be released in Fall 2012.

Seller is not qualified and has not undertaken to evaluate all aspects of this issue and makes no representation, express or implied, concerning the presence, absence or level of risk associated with PM10 and/or crystalline silica. Seller does not render an opinion or endorse any studies or findings regarding this issue including the studies and findings cited above. For further information about PM10 in the Nipomo Mesa area or to obtain copies of the studies referenced above, Buyers should contact the San Luis Obispo County Air Pollution Control District, 3433 Roberto Court, San Luis Obispo, CA 93401, (805) 781-5912, info@slocleanair.org. The APCD Report is also currently available on line at http://www.slocleanair.org/pdf/PM2-final_report.pdf.

Seller discloses to Buyer that PM10 and/or other particulates in and around the Community including, but not limited to, crystalline silica, may create health risks and may adversely affect the marketability, appreciation, value, insuring and financing of Purchaser's Homesite. Buyer must investigate this matter to Buyer's satisfaction before purchasing a Homesite in the Community.

By signing this Disclosure Statement and/or by accepting a deed to a Homesite, Buyer acknowledges that (a) Buyer has reviewed the particular sections of the Disclosure Statement regarding PM10; (b) Seller is not responsible for and has no control over PM10 or its impacts, if any, on Buyer and Buyer's family, guests, invitees, tenants, agents or employees; and, (c) Buyer waives and releases Seller from any loss, damage, expenses, liability, claim or obligation of any kind arising out of or in any way related to exposure to PM10 or crystalline silica.

50. **Trees.** The Community is surrounded by and filled with many trees of various sizes and maturity. These trees are located on individual Homesites and adjacent to Homesites, streets and structures. Trees are susceptible to the forces of nature and may fall or have breaking and/or falling limbs. You are encouraged to completely evaluate the trees on your Homesite during the buying process. By acceptance of a deed to a Homesite, Buyer acknowledges that Seller is not responsible for any damage caused by trees, or for the safety of Buyer, Buyer's family, guests, invitees, tenants, agents or employees.

SAN LUIS OBISPO COUNTY HEALTH AGENCY



Public Health Department

2191 Johnson Avenue
 San Luis Obispo, California 93401
 805-781-5500 • FAX 805-781-5543

Jeff Hamm
 Health Agency Director
 Penny Borenstein, M.D., M.P.H.
 Health Officer

Increased morbidity and mortality associated with air particulates

Minute airborne particles, or particulate matter, are also called PM10, or even smaller particles, PM2.5. Epidemiologic studies have linked these particles to heart attacks, strokes, asthma and lung disease, although most of the studies connected to PM10 and PM2.5 study urban air quality that is associated with traffic and factories. However, studies of persons commonly exposed to dust and dirt have also shown a strong association between air quality and adverse health outcomes, including increased exacerbation of chronic illness and increased hospitalizations.

South County residents living in close proximity to the Oceano Dunes are exposed to high concentrations of particulate matter, especially when high winds kick up sand and dust. The effects can cause respiratory and cardiovascular problems due to chronic irritation of the lungs in mucus membranes. The mechanisms that cause increased morbidity and mortality are not completely understood, but several hypotheses have been offered. Data from some epidemiologic investigations suggest that preexisting pulmonary inflammation and or chronic conditions could "facilitate PM induced release of pro-inflammatory mediators, resulting in additional pulmonary inflammation, bronchoconstriction, hypoxia and cardiac effects, including ventricular fibrillation and death"^{1, 2}. Another proposed theory linked exposure to ultra-fine particles to alveolar inflammation, and increased blood coagulability.³

Regardless of the mechanism, we urge providers in the South County region to be aware of the risks associated with exposure to particulate matter in the form of sand and dirt during the windy period. Patients with chronic respiratory and cardiac conditions should be encouraged to avoid exposure to particulates present on windy days, and monitor air quality in order to make informed decisions regarding outdoor exertion. Providers should be aware of the potential for chronic condition exacerbation, especially after many days of poor air quality in the Oceano Dunes/Nipomo Mesa region.

Daily air quality forecasts are available on the Air Pollution Control District website, www.slcleanair.org. Individuals can also sign up to receive daily email air quality forecasts by registering at <http://www.slcleanair.org/air/AirForecasting.php>.
 H:\APCD Topical Info\Air Quality Health Info\Particulate Matter\Public Health Air Quality PM.docx

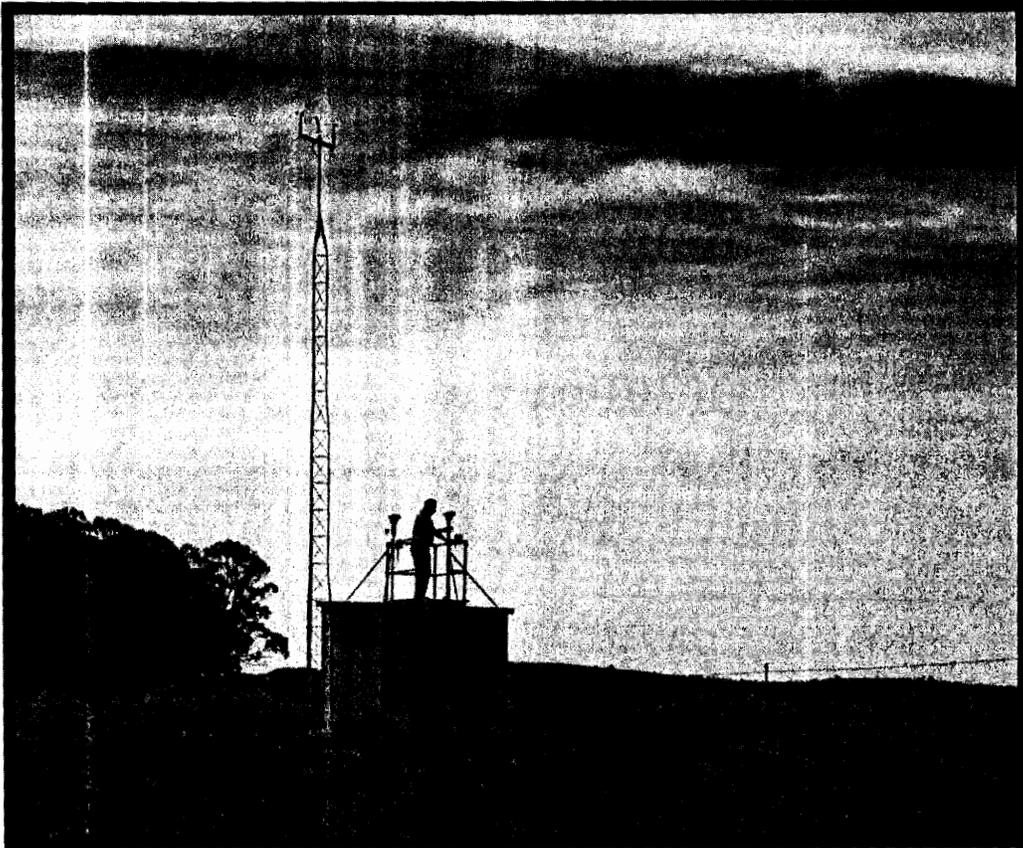
¹ Godleski, JJ, Ceddes C, Cutler M, and Koutrakis P. *Death from inhalation of concentrated air particles in animal modes of pulmonary disease*. Proceedings of the Second Colloquium on Particulate Air Pollution and Human Health. Park City, Utah, May1-3 1996. Vol 4, pp136-143

² Ostro B, Broadwin R, and Lipsett M. *Coarse and fine particle and daily mortality in the Coachella Valley, California; a follow up study*. Journal of Exposure Analysis and Environmental Epidemiology (2000) V10 412-419

³ Seaton A, MacNee W, Donaldson K, and Godden D. *Particulate air pollution and acute health effects*. Lancet-1995, 345:176-178



YOUR GUIDE TO SOUTH COUNTY AIR QUALITY



HOW TO STAY INFORMED ON THE AIR QUALITY IN YOUR NEIGHBORHOOD



SLOCleanAir.org



[@SLOCleanAir](https://twitter.com/SLOCleanAir)



805-781-5912



info@SLOCleanAir.org



3433 Roberto Court
San Luis Obispo, CA 93401



SOUTH COUNTY COMMUNITY MONITORING PROJECT

The SLO County APCD's air monitoring program has documented elevated particulate levels on the Nipomo Mesa for over twenty years. Recent studies performed by the APCD in the area have shown the source of the elevated particulate matter (PM) pollution to be windblown dust from the open sand areas of the Oceano Dunes State Vehicular Recreation Area (SVRA). To better define the extent of the dust plume on the Nipomo Mesa and Oceano, a community monitoring study was conducted in the spring of 2012.

Study Details

From March to May 2012, twenty three air quality monitors were deployed throughout the Nipomo Mesa and Oceano to gather data to better define the path and extent of the dust plume. The study focused on two primary impact areas in the South County:

- Nipomo Mesa neighborhoods directly downwind of the dunes; and,
- Oceano neighborhoods adjacent to Pier Ave and the beach.

The data collected provides information to more precisely define the air quality forecast zones for those communities and enhance the ability of local residents to determine if or when protective actions might be needed on high PM days.

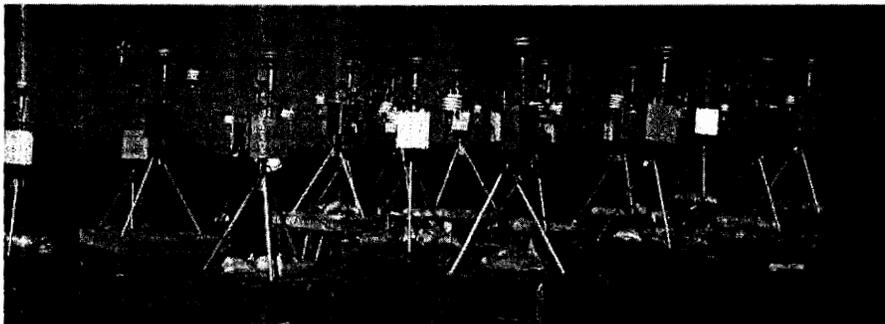
Nipomo Mesa Study Results

During strong northwest winds, dust events typically produce plume characteristics on the western portion of the Nipomo Mesa as shown in the map to the right. The highest PM concentrations were found to be in the region directly downwind from the main part of the SVRA. As you move further inland, or to the north or south of the SVRA, the PM concentrations decreased.

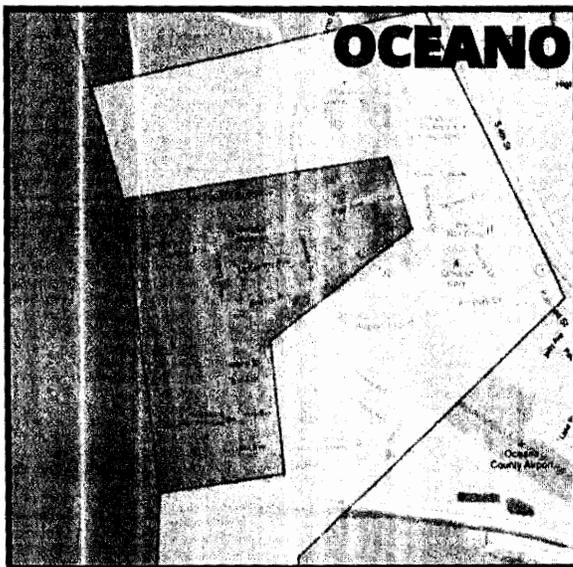
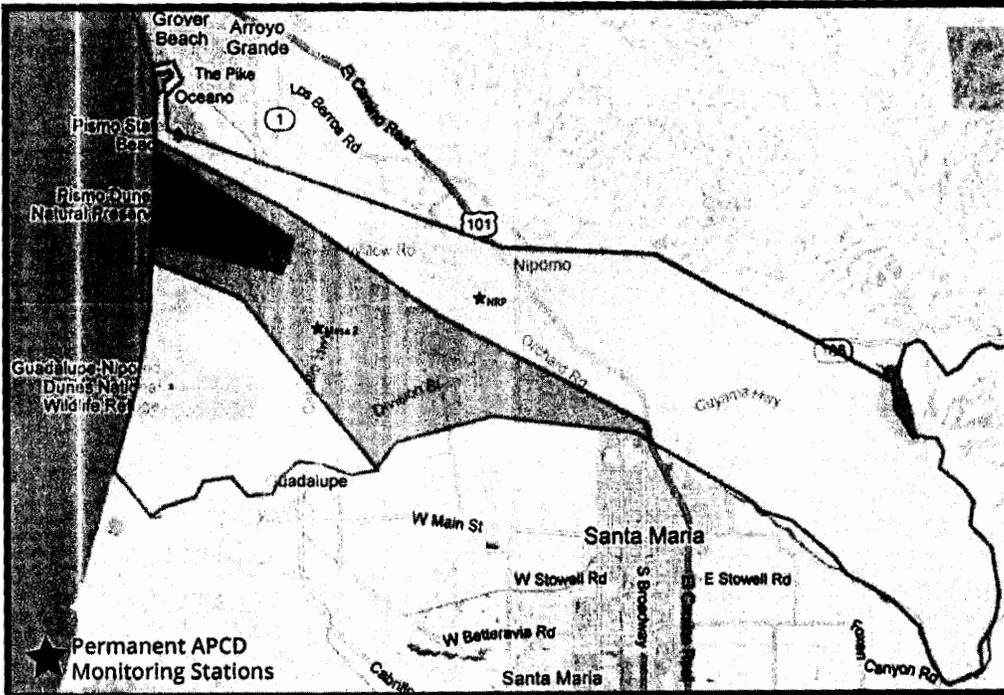
Oceano Area Study Results

Data gathered from the Oceano area showed elevated particulate concentrations are present during strong northwesterly winds at monitors in close proximity to any area of disturbed open sand. These sand areas include the beach as well as Pier Avenue where sand commonly is tracked out of the SVRA by vehicles exiting the park.

Study results were used to update the air quality forecast zones for the Nipomo Mesa and Oceano. Individuals who live, work or play in these neighborhoods should use the data from the associated permanent monitoring station as a guide for local air quality conditions.



NIPOMO MESA



AIR QUALITY FORECAST ZONES IN THE SOUTH COUNTY

- It is important to note that each wind-blown dust event has different characteristics, so the forecast zones on these maps are based on the estimated average magnitude of the particulate concentrations observed in each area.
- The borders of each zone are approximate and not meant to be a rigid boundary. PM levels adjacent to the boundaries are likely to be very similar.
- The public should use the air quality forecasts as a guide to help plan their outdoor activities and protect their health during blowing dust episodes.

LEGEND

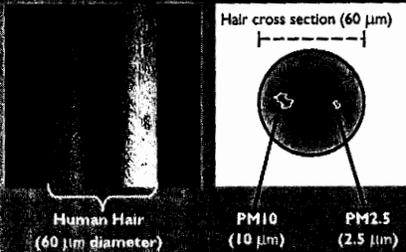
- Dark Pink - CDF Monitoring Station
- Medium Pink - Mesa 2 Monitoring Station
- Light Pink - NRP Monitoring Station

PARTICULATE MATTER & YOUR HEALTH

WHAT IS PARTICULATE MATTER?

Airborne particulate matter is a complex mixture of extremely small particles that may contain a number of harmful components, including acids, organic chemicals, metals and soil or dust particles.

The images to the right show the size of PM10 and PM2.5 compared to a human hair.



MINIMIZE YOUR RISK

Keep watch on your local air quality conditions to determine the best time of day for you to exercise and enjoy the outdoors.

Particle pollution can vary by season and location, with the highest levels when dust blows during high wind events.

HOW TO STAY INFORMED

DAILY FORECASTS AVAILABLE



VISIT the APCD website and click "Today's Air Quality"

SIGN UP to receive alerts via email or text through Enviroflash.info

FOLLOW the APCD on Twitter (SLOCleanAir) or see the live feed on our website

CALL 805-781-4390 to hear an updated recording of the air quality in your area

READ the local newspapers. Several include daily forecasted values for your area.



GOOD

MODERATE

51 → 100

UNHEALTHY FOR SENSITIVE GROUPS

101 → 150

UNHEALTHY

The Air Quality Index (AQI) is a color-coded, user-friendly way to report daily air quality. It tells you how clean or unhealthy your air is, and what associated health effects might be a concern.

odsvra: a violation of CA DPR mission

camina tripodi [camina_tripodi@yahoo.com]

Sent:Friday, February 06, 2015 9:51 AM

To: CoastalODSVRAcomments

Dear CA Costal Commission,

Thank you for your interest in management of the local Pismo/Oceano State Beach and ODSVRA.

I would like to remind the Commission that any management plan for the ODSVRA and State Beach which does not reflect the impact of land use on public health is a failure of the CA DPR stated mission which is to:

"To provide for the health, inspiration and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation"

Please note it is not, in fact, the stated job of the DPR to only facilitate vehicular recreation but to foremost provide for the HEALTH of the people of CA.

Clearly any management plan for the ODSVRA and Pismo/Oceano State beach MUST reflect the impact of land use on human health and it is clear that no plan thus far fulfills this mission because there is no public record, public scrutiny, or public oversight of accident and death rates on the ODSVAR. There is no public knowledge of law enforcement efforts to protect human health on the ODSVRA.

But it is very common local knowledge, however, that allowed land use of the ODSVRA generates endless activity at local hospitals.

The management of PUBLIC PROPERTY is a public exercise and in the case of the ODSVRA, such management must, by DPR definition be exercised in the interest of public health.

Clearly it is not the job of the Coastal Commission to facilitate or favor OHV use of the ODSVRA without the PRD public health mandate.

NOR is it the job of the Commission to discriminate against OHV use.

The fact is that OHV use just happens to be the most popular recreational activity on the Oceano Dunes. However if a wealthy group of citizens decided to use the dunes for intense bungee jumping or falconry secessions, the impact of such land use on public health would also have to be considered.

Beyond these clear mandates, I would like to remind the Commission that in the USA we has a tradition to protect people's health and safety.

In the USA, any amusement park ride where people were being injured is considered a health risk. Also any public school campus or doctors offices, or a stores, or roads or city parks where people were get consistently or badly injured are subject to scrutiny.

Thank you again for your work.

I look forward to seeing a public management plan for local public beach land which reflects the impact of allowed land use on human health.

Sincerely,

Camina Tripodi
521 East Cherry Ave
Arroyo Grande CA
93420

117

PM 10 dust health issues re: Oceana Dunes SVRA - Our lives are at risk!

Mike Eisenhard [meisenhard@sbcglobal.net]

Sent: Thursday, February 05, 2015 6:49 PM

To: CoastalODSVRAcomments

TO: Coastal Commission:

I will not repeat the wealth of documentation and evidence that clearly identifies the activity on the Oceano Dunes SVRA as the source for the lethal air pollution afflicting our family, and all other families, on the Mesa. I am sending this email as an effected, and concerned resident to reinforce that this is an extremely serious, life threatening problem that you have the power, and responsibility, to help resolve. The Air Pollution Control District and Dr. Koteen's independent report lay out an unequivocal identification of the source of our air pollution, and the best remedies that should be implemented...immediately! It is unconscionable that the health of thousands of local residents would be jeopardized simply so people from out of this area can come here and tear apart our beaches and sand dunes, polluting the air and the sand (with both oil and gas spills as well as defecating on the dunes) in the name of "fun", then leave all their trash and pollution and destruction behind (which our tax dollars have to be used to clean up), just so the State Parks department can reap millions of dollars in revenue - at the cost of our health. This is pure insanity, especially in a state that prides and promotes itself at being in the forefront of concern for the public health.

We implore you to take all actions you can to resolve this deadly health issue.

Additional comments follow:

1. The Mission of the Coastal Commission includes protecting and restoring the coastal resources and in that regard, they should be able to take steps to have the fore dunes restored. This should be their first priority. Vegetation has been shown to be 100% effective in reducing sand movement. It provides year-around permanent reductions. Wind fencing is less than half as effective and more expensive. See letter from Mr. Zeldin and Dr. Koteen.

2. August 24, 1984 the Coastal Commission approved CDP 4-82-300-A3 which moved the fence line on La Grande tract farther east opening more dunes to riding area (see page 10 of report). At the time it was thought that the vegetation that was there would not grow back. Based on the areas all around the La Grande tract which have grown back since being fenced off to riding I think it is safe to say that this area would also self-restore. The Commission can decide to move the fence back to the position shown in Exhibit C on page 76 "Proposed and Conditioned fence alignment". It is now in the location shown on Exhibit A-2. This would begin the process of letting the dunes self-restore and stabilize which is needed to keep down the particle pollution.

3. Permit amendment 4-82-300-A4 states fencing is to be kept 100 feet away from the vegetation. See page 13 of 21. In some places, the vegetation is growing through the fencing, see photo. The Commission's Executive Director can require that the fencing (especially around the vegetated islands) be moved 25, 50 or 100 feet away from the plants.

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2/10/2015 12:31 PM

On La Grande tract, letting the islands expand will also be a first step to solving the air pollution problem.

Respectfully,

Mike Eisenhard & Judy Eisenhard
Residents of Arroyo Grande on the Mesa

119

2/10/2015 12:31 PM

Oceano Dunes State Vehicle Recreation Area

Dorothy Modafferi [tdmod@me.com]

Sent: Wednesday, February 04, 2015 9:47 AM

To: CoastalODSVRAcomments

To the members of the Coastal Commission:

I am a year-round resident of Trilogy-Monarch Dunes in Nipomo, CA and have lived here for two years. During that time, I have become increasingly aware of the problems of air pollution due to the off-road vehicles on the beaches north of where I live. In fact, driving on Highway 101 from San Luis Obispo home to Nipomo, I often see the plumes of dust from the off-road vehicles area drifting toward the area where I live.

I have been reading about the OHV Division's history of ignoring the rules and am concerned that the Coastal Commission is not enforcing the rules. Failure by the State employees to mitigate the dust problem has now resulted in the creation of a health hazard to Mesa citizens and damage to the environment the Commission is sworn to protect.

Vegetation has been shown to be 100% effective in reducing sand movement and provides year-around permanent reductions. Common sense would dictate that this is the least that should be done to protect the citizens of our county whose health is being impacted by the air pollution due to the off-road vehicles allowed to drive on our state owned properties. Studies have shown that wind fencing is less than half as effective and more expensive.

Please do your job and protect our environment and the air we breathe.

Thank you.

Dorothy Modafferi
1418 Vicki Lane
Nipomo, CA 93444
805-219-0239
tdmod@me.com

120

RENEWAL OF COASTAL PERMIT 4-82-300

Marsha Lilly [marshalilly35@yahoo.com]

Sent: Friday, February 06, 2015 2:32 PM

To: CoastalODSVRAcomments

January 28, 2015

California Coastal Commission
Legislative Branch
1121 L Street #503
Sacramento, CA

Dear Commissioners:

RE: Renewal of Coastal Permit 4-82-300

Please consider the following as it relates to the renewal of Coastal Permit #4-82-300 and the granting of a new application for permit to implement a dust control project at ODSVRA in south San Luis Obispo county. As the Coastal Commission knows, the Off Highway Division of California State Parks has historically and to the present not complied with various Coastal Acts. You are privy to that via the recent 62 page staff report which details the overwhelmingly numerous contradictions and unforeseen delays which surround the vehicle use there of our public coastal beach and magnificent dunes. The mismanagement and many infractions historic to the area, however, do not and have never reflected the basic principles and Mission of the California Department of Parks and Recreation (DPR), to "preserve and protect".

Consequently, the continuous use of the initials DPR when referring to ODSVRA activity and existence seems to me a contradiction in itself. Perhaps a superfluous observation, but upon reading the staff report of January 30, 2015, I was reminded throughout of the real fact that ODSVRA is under the actual jurisdiction of the Off Highway Division of Parks and Recreation which was created and mandated under legislative action to "control a nuisance". It has its own staff, its own offices in Sacramento, its own budget, and its own source of revenue, (gas tax and area use). Why then is the responsibility and management of its Oceano Dunes Area always implied to be the responsibility of State Parks? State Parks sees NO money from its operation and it is NOT a park. It is an area; an area set aside on a beach for Off Highway Vehicle (OHV) riding. OHV Division is the power behind the MISmanagement there and quite often they become the fox guarding the henhouse to protect their very inability to manage, implying that that responsibility goes to the the more environmentally minded DPR. The OHV Division of the California State Parks System needs to take full responsibility to "control their own nuisance". So far, in Oceano, they have NOT!

Sincerely,

Marsha Lilly

121

Oceanside, CA
(760) 295-2939

122

February 6, 2015

Dear Coastal Commissioners,

This is a group letter from some South County residents who are concerned about the huge dust plume of particulate matter (PM 10 and 2.5) coming from the OHV park. We believe you are aware of the health impacts from PM 10 and 2.5 exposure, which include worsening asthma, COPD, and bronchitis, irregular heartbeat, up to and including heart attack, stroke and pre-mature death. Many of us are retirees who moved to the Central Coast for the clean air. Many of us have health problems that could be exacerbated by this exposure. Others have a concern for our friends and neighbors who are affected.

During the annual review process you will be considering vehicle impacts related to the operation of the Oceano Dunes SVRA. The most detrimental impact is explained in the Jan. 27th letter from Larry Allen to the Coastal Commission staff. By denuding and disturbing the natural crust on the La Grande Tract, the OHV park management has created a health hazard. According to the American Lung Association, even short-term exposure can be deadly. <http://www.stateoftheair.org/2014/health-risks/health-risks-particle.html#shortterm>

We are asking you to consider the health and welfare of seniors, children and all others living in the plume when you evaluate the management practices. Vehicle impacts are the direct cause of the air pollution problem. There is a relatively simple solution: re-establish the fore dunes and expand and increase the number of vegetation islands. This would help provide habitat for the wildlife as well.

We understand that this must be done in coordination with the County of San Luis Obispo and park management. We urge you to do whatever is within your scope of authority to alleviate the problem as soon as possible. We are facing another year of little rainfall and thus the potential for 80-plus days of exceedances, similar to those in 2014.

Thank you for your time and consideration in this matter.

Sincerely,

Rachelle Toti – co-founder of Concerned Citizens for Clean Air
Arlene Versaw-co-founder of Concerned Citizens for Clean Air

James Toti
Larry Versaw
Paul and Jill Buckley
Liz Parker
Paul and Dori Van Alstyne
Chris Foglietta
Richard and Susan Wishner
Peg Pinard
Rich and Diana Henderson
Dorothy Modafferi
Carol and Ross Chenot
Howard Dolinsky
Dan Trade
Joseph and Cheri Briskey
Tom and Susan Austin
Dan Wagner
Ed and Raberta Rous
Helen and John Powell
Pamela and Roy Dunlap
Carole and Dwain Morton
Gordon Kraemer
Patricia Gaskill
Cheryl Smelt
David Bernstein

Karyn Carnes
Art Herbon
Mike and Judy Eisenhard
Paul Garratt
Howard and Maureen Wishner
Susan Demma
Joanna Berke
Kenneth Hallberg
Eric Moore
Liz Murray
William A. Dorland
Istar Holliday
Gail Applegate
Vince McCarthy
Michael and Debra Elliott
Paul and Claire Granbery
John Kress
Suzanne Henry
Dave and Madeline Stevenson
Virginia De Britz
Gracie Korn
Linda Reynolds
Sam Saltoun
Glenn Eineman



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
08EVEN00-2015-CPA-0037

February 9, 2015
Agenda Item W14a

California Coastal Commission
Central Coast District Office
725 Front Street, Suite 100
Santa Cruz, California 95060

Subject: Comments on the Review of Overall Effectiveness of Methods Being Used to Manage Vehicle Impacts in Relation to Coastal Resources at Oceano Dunes State Vehicular Recreation Area as Required by Coastal Permit 4-82-300 as Amended, in the Pismo Beach, Grover Beach, and Oceano Dunes Areas of San Luis Obispo County, California

Dear Commissioners:

This letter provides the U.S. Fish and Wildlife Service's (Service) comments on the California Coastal Commission's (CCC) review of the California Department of Parks and Recreation's (CDPR) operation of the Oceano Dunes State Vehicular Recreation Area (SVRA) at the upcoming CCC meeting on February 11, 2015 (Agenda Item # W14a).

The Service's responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act and its implementing regulations prohibits the take of listed fish and wildlife species without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). The Act provides for civil and criminal penalties for the unlawful taking of listed species.

Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways: through interagency consultations for projects with Federal involvement pursuant to section 7 of the Act or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

As it is not our primary responsibility to comment on documents prepared pursuant to CCC staff reports, our comments on Oceano Dunes SVRA operations do not constitute a full review of project impacts. The Service provides technical assistance and management recommendations to the CDPR regarding their Oceano Dunes SVRA operations related to federally listed species through three processes:

1) The Service regularly interacts with CDPR staff and their consultants as they develop their Habitat Conservation Plan (HCP). This plan is part of the State's anticipated application for an incidental take permit under section 10(a)(1)(B) of the Act, as described above.

2) The Service annually reviews CDPR's Nesting Season Management Plan as required by their Section 10(a)(1)(A) Recovery Permit; and

3) The Service participates in the annual review of Oceano Dunes SVRA operations through the Scientific Subcommittee and the interagency/stakeholder Technical Review Team (TRT) process established by the CCC through the Oceano Dunes SVRA Coastal Development Permit (CDP).

The CDPR has made slow progress in completing their HCP and incidental take permit application, and the 15+ years since CDPR committed to completing the process is much longer than it normally takes. During the past 2 years, however, the State and their consultants have been meeting with us and staff from the California Department of Fish and Wildlife on a regular basis and working on a schedule that is expected to result in a complete draft for agency review by the end of 2015.

Through the use of permanent and seasonal exclosures, intensive monitoring, habitat enhancement and predator management, the CDPR and their consultants are operating Oceano Dunes SVRA in such a way that despite the impacts of off-highway vehicle (OHV) use, nesting by federally threatened western snowy plovers (*Charadrius nivosus nivosus*) has been increasing since 2002, and exceeding site-specific recovery goals during most of those years. The *Management Potential*, as we defined it in our recovery plan for the Pacific Coast population of western snowy plover (Service 2007), is the target population of breeding birds we believe can be achieved under an intensive management scheme (and is approximately 20 percent higher than the defined recovery criteria); the proportionate *Management Potential* for the nesting habitat within Oceano Dunes SVRA is estimated to be 155. The number of breeding western snowy plovers at Oceano Dunes SVRA during the past 5 years has ranged from 137 in 2010 to 226 in 2014, and averaged 175, approximately 13 percent above the estimated *Management Potential* for the area. In addition to population targets, we established a recovery criteria of yearly average productivity of 1.0 fledged chick per breeding male; the current running 5-year average productivity at Oceano Dunes SVRA is 1.51 fledglings per male.

Oceano Dunes SVRA is one of only four sites in Santa Barbara and San Luis Obispo Counties where federally endangered California least terns (*Sterna antillarum browni*) nest, and between 2004 and 2014, at least 489 California least tern juveniles have fledged from nests at Oceano Dunes SVRA, which is more than double the number fledged from the other three nesting sites combined (168).

While the Service has sufficient opportunity to review Oceano Dunes SVRA operations through the HCP development process and annual Recovery Permit review, we appreciate the opportunity to participate with other stakeholders during the annual Technical Review Team review. While there will be opportunities for additional stakeholder input during the HCP public review and National Environmental Protection Act (NEPA) process, it is helpful to get their input during this developmental phase as well and we recommend the Technical Review Team continue to meet until the HCP is finalized.

If you have any questions regarding our comments, please contact Bill Standley of our staff at (805) 644-1766, extension 315.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen P. Henry". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen P. Henry
Field Supervisor

Nell Langford, Ph.D
P.O. Box 27
Pismo Beach CA 93448
805 773 4771

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

February 5, 2015.

RE: Permit 4-82-300

Dear Commissioners:

My comment, in short, is that Permit 4-82-300 should be revoked.

According to the California Administrative Code Title 14, Division 5.5, Chapters 5 and 6: Coastal Development Permits Issued by the Coastal Commission and Exclusion from Permit Requirements, Article 16 13105

Grounds for Revocation:

a. Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the commission finds that accurate and complete information would have caused the commission to require additional or different conditions on a permit or deny an application.

Pursuant to 13106 and 13107, I request revocation of permit 4-82-300 based on the grounds that OHV intentionally gave the Coastal Commission inaccurate, erroneous, or incomplete information. Accurate and complete information would have caused the commission to require additional or different conditions on the permit or deny the application.

The permit application states: "A permanent staging area site shall be selected..." This was to be accomplished by a time certain that passed decades ago. This failure to resolve the "interim" nature of existing recreational vehicle access routes is grounds for revocation.

In egregious violation of the Coastal Act, the liberties that the Off Highway Vehicle (OHV) division of State Parks and Recreation has taken under this permit have turned a natural seashore and public beach into a noisy, dangerous road.

SLOAPCD air pollution monitors show that OHV's use of the beach for a road is causing health threatening dust in the Oceano Beach neighborhood equivalent to the alarming readings at Mesa 2 in Nipomo. Vehicles have been banned on all other beaches and

coastal dunes in California, and monitors verify that no other beaches or coastal dunes in California are producing harmful airborne dust. It is the OHV's activities that are causing this serious health threat.

California State Parks' mandate is to preserve and protect, and OHV's mandate is to contain a nuisance. Both have failed. All regulatory agencies associated with this permit whose priorities include public health have miserably failed under this permit.

OHV intentionally set out to subvert the Commission's condition that vehicular beach use be temporary. Over the years, nothing was done to secure a permanent entry. Instead, OHV claimed the condition was satisfied via its "Least Environmentally Damaging Entry" studies. This is but one example of how OHV deliberately provided inaccurate, erroneous, or incomplete information in relation to its permit application. It told the first researcher he could not consider impacts on the beach, creek, or neighborhood. Instead he was to only consider the impact on the paved roads of Pier and Grand from Highway 1 to the beach. The researcher told me he was surprised at being told that the fate of the flora and fauna on the beach and in the creek were off limits.

The Condor Study also found OHV's desired result, that the two short paved roads were the least environmentally damaging entries. Neither study considered the flooding potential on nearby properties of the sand ramp at the end of Pier Avenue. One Coastal Commission staff member wrote on the cover of my 2001 appeal of the Pier Avenue sand ramp:

"20 years without environmental review. TRT may conduct review, but can't keep permitting development pending TRT work. At least condition permit for annual permit review. Study feasible less damage alternative entrance."

To dig out the sand ramp, OHV removes the foredunes, ignoring sea level rise and the danger to nearby properties of storm wave run-up in a flood zone. This is done so that the ocean can fill the area with water to pack it down so that vehicles don't get stuck. The flooding danger of this practice is not addressed in the "least damaging entry" studies. OHV shows its contempt for the conditions placed on it by deviously controlling the scope of its "research".

Not only does OHV include inaccurate and erroneous or incomplete information to justify failure to find a southern entry, when OHV applies for Coastal Development Permits for the Pier Avenue ramp, it includes inaccurate and erroneous information. The first permit application included a site plan that showed the sand ramp was exactly where the old wooden ramp had been, straight out from Pier Avenue. This was a maneuver to minimize the apparent impact to nearby properties. OHV's engineering report was from its in-house engineer who told me that the flood hazard created by the digging of the Pier Ave ramp was in the public interest.

Likewise, OHV gave inaccurate and erroneous permit application information regarding the source of the tide line data to the SLO Board of Supervisors. The same information was provided to the U.S. Army Corps of Engineers. However, OHV has yet to provide any regulatory agency accurate information regarding the current location of ocean tides though it is a condition of several of its permits.

Over these years since 1982, while the Coastal Commission and SLO County were timidly diffusing responsibility, OHV continued its push to kill the "beach use as temporary" condition, clouding its non-compliance with piecemeal requests and brazen moves.

OHV capitalized on an operational agreement from the County and blatantly encroached onto La Grande Tract. The agreement mentions nothing about vehicles other than the county wanted fencing to control them. OHV ignored the status of La Grande Tract as a buffer area, snubbing the Commission and the SLO Local Coastal Plan. The official designation (referred to as figure 4) shows the buffer area going all the way north to Pier Avenue.

OHV routinely provides inaccurate information on maps. It ignores public resource codes by placing itself, an SVRA, in another park system unit, Pismo State Beach. It altered its boundary on maps, erroneously extending the SVRA to the ocean. The SVRA does not, and cannot include any part of the beach.

OHV re-labeled maps to draw attention away from the impact of concessions and traffic on the beach adjacent to the natural preserve by labeling the natural preserve a "dune" preserve. Most of the maps OHV gives regulatory agencies show its "map magic", which is deliberate false information

OHV provided false information to the Coastal Commission e.g. that a 1938 deed declared that part of the beach be used for "park and highway purposes". The deed actually says that the State Parks Commission would not accept the gift of the land until those words were struck.

OHV continued its scofflaw push to kill Coastal's interim beach entry condition by throwing its weight around. It gave a few million to SLOCO Public Works to widen Pier and Grand Avenues. A stipulation was that there was to be no increase in traffic, but the count has since doubled, with scores of loud trucks and motor homes roaring through the neighborhood at all hours, day and night. The Oceano Fire Chief said when vehicles get stuck on the Pier Avenue ramp, traffic backs up and emergency vehicles cannot accommodate the neighborhood.

OHV continues its expansion, moving its offices to huge quarters off James Way filling up a city block, and destroying trees along Highway 1 to clear a wetlands for its fleet of heavy duty equipment to plow and claw the beach which it denies has a "crust".

OHV increased law enforcement facilities on State land near the beach to manage the alarming number of 911 calls that the Sacramento Bee exposed. But OHV, never wanting crime and accident data made public, explained away the emergency calls as mostly "squirrels in tents".

OHV took over the beach from regular Parks, gaining a golf course and restaurant, and built its mobile Sand City on the beach with fast food and atv rental concessions. It rents motor homes (with no bed tax going to the local economy) that compete with hotels and vacation rentals.

OHV posted signs that the beach was an SVRA where vehicles had priority over pedestrians and advised those who came to the beach for ocean dependent activities to go elsewhere for their own safety. It ordered healthy marine mammals to be indiscriminately removed from the beach, because they would be mere "speed bumps".

All the while, as the years passed, the OHV gradually removed the posts that State Parks under Ron McCall had officially delineated as pedestrian access near the Pier Avenue Ramp. Today much of the hundred foot buffer is directly in the line of traffic on the sand ramp.

I have vacation rentals in Oceano Beach, made undesirable to families who are concerned about the health and safety threats posed by vehicular activities on the beach. These families are being deprived of needed nature reprieves and the enjoyment of ocean dependent activities. If the Coastal Commission had known that the OHV intended to permanently destroy the non-motorized public's access and enjoyment of miles of beach, I believe the application would have been denied.

It is on these grounds that I ask for a revocation of permit 4-82-300. References, photographs, and copies of documents that support each of my assertions are available and will be emailed on request.

Sincerely,

Nell Langford
drnell@thegrid.net

Reply Reply All Forward Chat

Loss of Fore Dunes and Vegetated Islands

rachelle toti [rachelletoti@gmail.com]

To: CoastalODSVRAcomments; Buhr, Justin@Coastal

Attachments: (2) Download all attachments
1st pg CGS report.JPG (203 KB); Veg Loss in SVRA.JPG (116 KB)

Friday, February 06, 2015 8:09 PM

You forwarded this message on 2/9/2015 11:50 AM.

Dear Commissioners,

As the staff report indicates, vegetation loss in the SVRA is a factor in allowing the entrainment of fine particles to be lifted and carried high into the air as a massive dust plume. The fore dunes have been identified as the first line of defense to stop the sand saltation and provide shelter for plants growing inland. Attached is a map, which show the loss of vegetation from 1985 to 2003. Most of the red areas are in what was once the fore dunes.

On page 71 of the Vegetation Islands report by the California Geological Survey it states " Between 1992 and 2003, a period of 11 years, approximately 60 small vegetation islands in this area disappeared. Most were in the open ride area not protected by fencing."

The loss of 60 vegetation islands was not intended by the Coastal Commission in 1983 when they stipulated in 4-82-300 A-2 that " Vegetated dune areas, whether they are fenced or unfenced, are strictly off-limits to all vehicles." Obviously the Commission felt reasonable enforcement would protect the vegetated dune areas, but it did not. This causes one to ask, where was the enforcement of this provision? Since 2007, why hasn't the Coastal Commission acted on its mission statement to restore coastal areas and protection of Environmentally Sensitive Habitat Areas.

Now that the OHV park is down to 20 islands, the OHV park management seeks to reduce the vegetation even further. The first page of the 2007 California Geological Survey report (attached) reveals the next step. In the Project description it states " as part of this project CGS was asked specifically " 2) to determine if any islands could be combined or ELIMINATED in an effort to balance the need for wildlife habitat with demands for additional ride areas." The OHV Division of State Parks not only disregarded the provisions of the A-2 amendment, it seeks to eliminate more vegetation islands!! Several islands were recommended for elimination, or as the report states " open to riding".

Public Resource Code 5090.35 Repair, Maintenance and Restoration of Areas, Trails and Lands; Soil Loss Standards and Habitat Protection Plans (a) The protection of public safety, the appropriate utilization of lands, and the conservation of land resources are of the highest priority in the management of the state vehicular recreation areas: and, accordingly, the division shall promptly repair and continuously maintain areas, and trails, anticipate and prevent accelerated and unnatural erosion, and

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2/10/2015 12:35 P



DEPARTMENT OF CONSERVATION

CALIFORNIA GEOLOGICAL SURVEY

801 K STREET • Suite 1340 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 327-0791 • FAX 916 / 323-9264 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

To: Rick LeFlore
 California State Parks
 Off-Highway Motor Vehicle Recreation Division
 1725 23rd Street, Suite 200
 Sacramento, CA 95816

Date: August 30, 2007

From: Trinda L. Bedrossian and John P. Schlosser
 California Geological Survey
 801 K Street, Suite 1324
 Sacramento, CA 95814

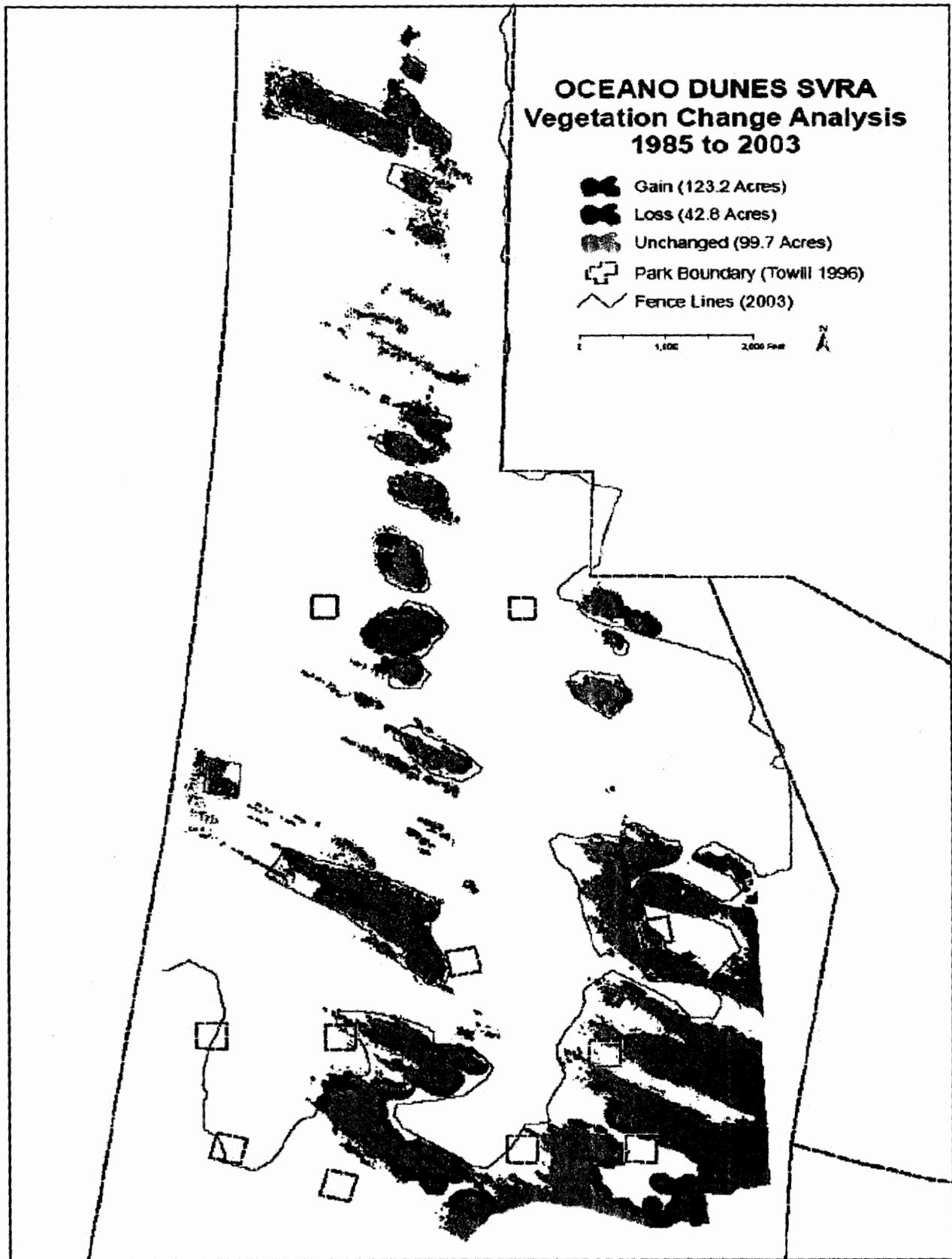
Subject: Review of Vegetation Islands, Executive Summary, Oceano Dunes SVRA

Project Description: At the request of California State Parks (CSP), California Geological Survey (CGS) geologists examined twenty (20) vegetation islands located within and/or adjacent to the Oceano Dunes State Vehicular Recreation Area (ODSVRA) ride area, San Luis Obispo County (Figures 4 and B-1). Portions of some islands have been revegetated previously by CSP to improve wildlife habitat and the esthetic values of the SVRA. Some of these efforts have been successful, i.e., several of the islands have grown in size. Other islands have retreated in size and may be in danger of being obliterated by encroaching sand dunes. As part of this project, CGS was asked specifically by CSP to: (1) examine vegetation on the leading edges of the vegetation islands in regard to their shape, size, and geomorphology; (2) determine if any islands could be combined or eliminated in an effort to balance the need for wildlife habitat with demands for additional ride areas; and (3) determine how CXTs located near several of the islands can be better protected so they do not have to be moved as often. The vegetation islands examined in this study include:

Vegetation Islands – West to East, North to South

7.5 Reveg	Eucalyptus Tree
Moymell	Eucalyptus South
Worm Valley	Tabletop
Pavilion Hill	Pipeline
Barbeque Flats (BBQ Flats)	Maidenform Flats
BBQ Flats South	40-Acre Woods
Heather	Indian Midden
Acacia	Indian Midden South

Figure 4. Vegetation Change Analysis, Oceano Dunes SVRA, 1985 to 2003.
Analysis by Robert Shanaberger, GIS Analyst, CSP, August 2007.





EPI-Center, 1013 Monterey Street, Suite 207 San Luis Obispo, CA 93401
Phone: 805-781-9932 • Fax: 805-781-9384

San Luis Obispo **COASTKEEPER**[®]

February 5, 2015

Steven Kinsey, Chair
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

C/O Justin Buhr
EMAIL: justin.buhr@coastal.ca.gov

Public Comment: Agenda Item W14a; ODSVRA Permit Condition Compliance Review

Chair Kinsey and Honorable Commissioners,

On Wednesday, February 11, 2015 your Commission is scheduled to consider a review of the effectiveness of methods being used to manage vehicle impacts in relation to coastal resources at the Oceano Dunes State Vehicular Recreation Area (ODSVRA) under Coastal Permit 4-82-300 as amended.

I am writing to support Staff recommendation that your Commission discuss and consider appropriate options for moving forward to protect Coastal Resources. As an original member of the Technical Review Team I wish to suggest that one of the options likely to produce meaningful data relative to appropriate and proper management strategies is to require that the study recommended by the Scientific Subcommittee of a year-round closure of a designated area within the Park be conducted to evaluate this alternative as a plover/tern habitat treatment strategy.

For several years the Scientific Subcommittee has recommended this study consistently noted the compromised quality of the habitat available in the riding area at the start of the breeding season, stating:



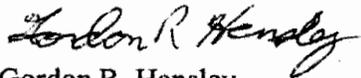
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“ The seven-month closure may not allow enough time for habitat to recover from OHV recreation, especially by the beginning of the breeding season. During the non-breeding season, snowy plovers continue to roost between Grand and Pier Avenues. The question remains as to whether a year-round closure in some configuration would best serve breeding plovers and terns...” (W-14 Staff Report p 30)

Based on the 2014 Nesting Report the Scientific Subcommittee has continued to support Nesting Report conclusions that habitat nesting quality is compromised and suggest that the cause is a result is that a seven-month closure followed by 5-months of recreational vehicle use may be insufficient for habitat recovery. To date Parks has not attempted the closure study recommended by the Scientific Subcommittee.

To answer the question of whether a scientific evaluation of a year-round closure comparing habitat left open during the non-breeding season to a year-round closure area would better protect coastal resources, I urge the Commission to consider action supporting a year-round closure study as consistently recommended by the Scientific Subcommittee.

Sincerely,



Gordon R. Hensley
San Luis Obispo **COASTKEEPER**[®]



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Oceano Dunes

Annie Steele [annsteele2233@gmail.com]

Sent: Friday, February 06, 2015 10:47 PM

To: CoastalODSVRAcomments

Attachments: Jan 25,2015 first copy.doc (1 MB)

The future of the Oceano Dunes is in your the hands.

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January 20, 2015

Members of the Coastal Commission California



View of Pismo State Beach at 6 Am Sun rising.

Decisions are made based on information one has at the time as typified by the history of 'Dunes' located in The Southern San Luis Obispo County. Every age has had its regulations and things repeated year after year by community agreement.

For instance the early peoples, called the Chumash had their rules, I am told that went something like this: every so many years that they lived in a location they would burn the whole village down and rebuild at another location on the coast of California. Not having their information I can only surmise the reasoning. Maybe bugs or fleas or materials rotted in the sea air and climate.

Later on the during the Land Grant Era the coast was used for the loading and unloading of boats bringing in goods and export of leather, tallow and materials made on the rancheros.

The communities were small 500 to 1200 people in an area. It is hard for us today to think of the open spaces that existed at this time. The Local Dana Adobe located in Nipomo area was one of those Land Grants from the King of Spain of 38,000 acres of rolling hills.

The agreements were by the residents were for their very survival. Some of the Local Indians were known to attack homes during the night hours killing whole families. There were no local grocery stores or sources except each other and what came in by boat or later by stage coach as time went on. Still, later by train The Santa Maria Train brought some goods and people to the area.

Pre-World Thru War I and II

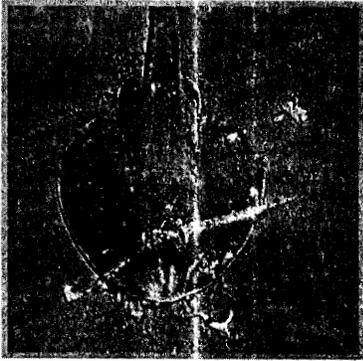
Later, as time passed and the population increased to maybe 11,000, people in the whole area stores and commerce had arrived in the area. These towns in most cases were 400- 800 people and 6 - 10 plus stores and saloon lining one street. We still had farms and rancheros and need for recreation so the beach became a goal for the family outing . Increasing to maybe 10- 11,000 people by the second WWII in the areas. **Yearly** visitors maybe 1-11,000, if you counted the horses. We have all seen the pictures of great Hotel and the sand in Pismo.

This was still a very sparsely populated area and the use of the beach was not a regular event. They were traveling by buggy or very primitive motorized vehicles and the roads were not always paved. During this time we have the Great Hearst Castle to the North that was a three or more day long trip to get to, even by movie stars and corporate giants.

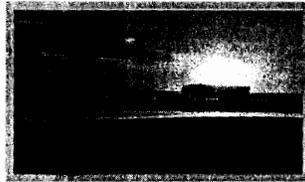
More recently , the roads are now paved and are 3 to 6 lanes wide in places. And add to this we are and have a stable population of approx. 390,000 plus 45,000 college students and 3-9 million tourists into the area now. The criteria for protection of the families and tourist alike should change. The beach is now, the backyard to residents , **49 thousand of them** (five cities in the area, 'Shell beach', 'Oceano', 'Arroyo Grande', 'Grover Beach') living **adjacent to the sand dunes year round..** There are reports of a 3 million **or more** vehicles traveling on to the beach in one year this plus businesses and associated transport of goods for their operation on the beach itself. This is round the clock traffic, day and night.

The rules that protected the early Chumash families cannot be applied to modern residents.

Today the protection must include A. active protection of the dunes environment from Dune Crust, Blessed Thistle, Steel-head Trout, Tide water Gobi, Tribal burial Grounds and Sacred Sites, and native birds such as Snowy Plover, B. the intertidal zones, home for babies of many different species ,



, B.



the intertidal zones, home for babies of many different specie

'HuckFests' of one kind or another, see birds, seals other species laying dead after,

C. residents who live adjacent to the Dunes, from Pm-10 health impacting silica Dust which is now, shown to be present. The very thing that brings visitors to the area is being destroyed and once gone cannot be regained.



D. Fresh water creek and habitat for species.

Car crossing fresh water creek putting

Gobi and steel-Head trout at risk!

Attempts thru(75 -82) the years date from inception to find middle ground to please business interest and other **interests state agency**. The glaring facts of being land locked still when a law was signed saying that was to be another entrance to the ODSVRA has not happened. That has given them 20 some odd years to do this when they signed a contract for five years! There has been little or no incentive to do so. Emergency vehicles are stationed the Pier Ave. entrance some two -four miles from Sand City and Communication into the ridding areas are limited.

On at least one occasion an EMT has been killed because he could not be seen in the dark. IF and When the earthquake of 9.0 comes a million visitors **will die**. Picture of the one and only entrance to the Pismo State Beach.

Residents are becoming ill yearly as a result of the PM10- air borne particulate, asthma, bronchitis, emphysema are rampant in residents. Enforcement of meager rules is few to non-existent from speeding (a death from a collision within last 30 days, Jan 2015 from speeding

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and hitting a stalled vehicle) to teenagers playing in the snowy plover nesting area to destruction of sacred sites which I have witnessed while rangers ride by.

How can families walk on the beach or just want to breath fresh air?. The beach has been the site of several children dying in the midst of constant **round the clock** traffic of big transport vehicles going too fast to see them and avoid them. The once friendly small

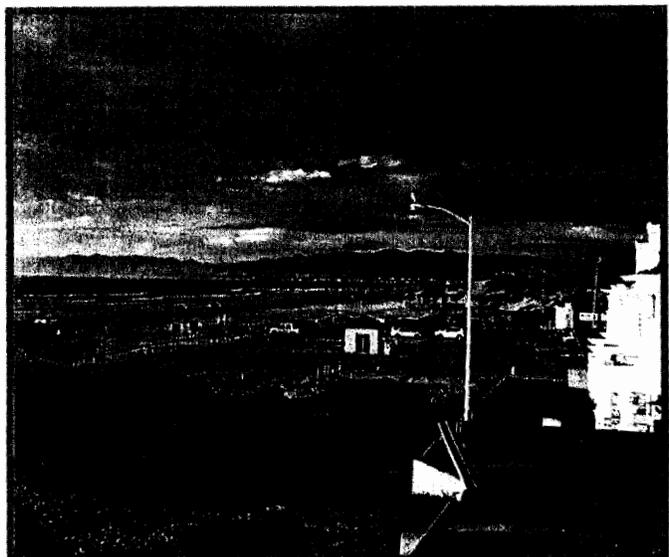
town atmosphere is now filled with strangers who care nothing for neighbors but how much money can they make or I just bought new rentals and I need to pay for them.

Picture of the **one entrance** and exit to the ODSVRA. One vehicle at a time may leave. In an emergency a malfunction in one car or motor home means disaster.

High tide means no exit or entry to the area of Sand City even in an Emergency.



view down unretouched on the ODSVRA



Oceano Dunes SVRA

Arlene Versaw [arleneversaw@gmail.com]

Sent: Saturday, February 07, 2015 7:56 AM

To: CoastalODSVRAcomments

Dear Commissioners and staff,

Ever since I walked into an APCD Open House to discuss the results of its Phase II study, I have been living the nightmare of fighting State Parks to resolve the dangerous dust issue on the Mesa. I can visually see the sheets of pollution wafting by my back window whenever the wind comes up. This is not a theoretical debate between public agencies. This is about the health of thousands who moved to the Mesa unaware that the air they breathe can hurt them. No one seems to be paying attention to the human cost in this battle. Instead we have agencies all too willing to play "nice" with State Parks, to cooperate, to bless continuous "iterative steps" that get us nowhere. They are enabling the very arrogance, intimidation and disregard for authority that is the State Parks OHV Division hallmark.

After five years, the Coastal Commission arises as the last bastion of hope for anything more than years and years of further delay while "Paris burns" in the lungs of those of us who must live with the danger of hazardous dust - all in the name of recreation for thousands who do not live here.

Don't me wrong. I am not advocating closing the OHV park. That is unrealistic and also unnecessary. Desert Research Institute, the APCD and your very own Coastal Commission ecologist can lay out an EFFECTIVE plan for bringing this long, drawn-out battle to a close. Please have the fortitude that others do not. Please hold State Parks accountable for fixing the problem = beginning NOW. The Commission has the means through its permitting process. We can only hope that it has the will to be the lone champion of those who have been seeking an resolution through others for years. Thank you.
Arlene Versaw, Nipomo Mesa

oceanodunes #4-82-300

Cameron Rigby [slosrfcat@yahoo.com]

Sent: Saturday, February 07, 2015 8:32 AM

To: CoastalODSVRAcomments

Im expressing my concerns regarding further closure of area of the dunes! This is absurd?! As a local I use that area often and have seen many limitations and restrictions of it being used. Even speaking to some of the wildlife rangers at the dunes and asked about the snowy plover population being counted. She indicated that "there are so many now that we cant even keep count?" This area needs to be open and used by the people for its titled use: Recreation!

I am unable to attend meeting due to being on duty the 11th and 12th. Please include my vote to keeping it open and let the people use it. If further information or facts are needed please contact me at 805-459-1858.
Cameron Rigby

Patricia Duron
PO Box 1588
Nipomo, Ca 93444

2-7-2015

COASTAL COMMISSION COMMENTS

Dear Coastal Commissioners:

I am a resident of SLO County; I enjoy hiking and walking the beaches. I have also been a volunteer in the marine mammal rescue program among other volunteer organizations.

I cannot walk the beach in the OHV, the smell of gasoline is abundant, the noise is deafening at times and the way the earth is treated there really is so very offensive to me. The trash that is thrown and strewn around the abundance of used toilet paper, the broken bottles around a campfire, the yellow tape that is used to seal off their campsites is among much litter.

How do we allow this kind of violence to be done to our earth, this form of wreck-creation should not be allowed. I'm sure there are many violations that it is against. I've heard of many of them including driving on a natural preserve and a creek- How is that possible to allow that? Noise violations, population surplus to the facilities , Major moving of the sand without permission.

The first major act that I am totally against, that is outdated (by the way) is the ChappyZberg act which gives this destructive force Millions of dollars PER MONTH!!! This comes from the gasoline that we pay taxes on. It seems to me there are more beneficial organizations that could use that money including one that could restore the crust that these vehicles destroy and the plant life that was there, and allow a place for the seals, sea lions and snowy plovers to habitat.

Fortunately our country has made giant forward steps in helping individuals understand that domestic violence inflicted upon individuals and society in general harms everyone, many times in the name of individual rights and freedom.

Similarly we are inflicting destructive violence upon our natural innocent beautiful beaches much like what takes place in the OHV. Please imagine that you witness someone who claims ownership and rights over someone else; pounding on them tossing them around like a super washing machine and inflicting physical damage to the very core of their being. Do you simply look the other way? Hoping they will stop and get the message on their own or do you take a firm stance to help you not have to witness damage done to something that is also a part of you; humankind. In a real and analogous way we are all; you and I faced with witnessing similar destruction to our Oceano Dunes. Please reflect upon this and take a stand to stop it.

Thank you for your service,

Patricia Duron- Okerblom

Highway Vehicle division wanted the HCP to cover all of SLO County parks, and that didn't go anywhere with Fish and Wildlife. They need to move forward with a plan specific to this area.

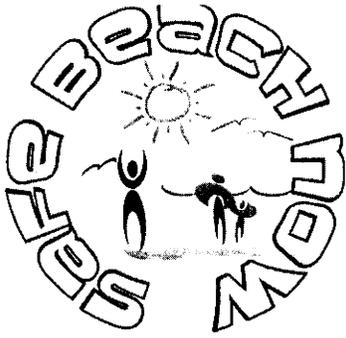
He noted that the film that the members of the public want to show is 14 years old. We are going to be hearing a lot of old news. State Parks will respond that they have made changes since then and they have. But can the Commission at least help move them off the dime on this interim step? He believes this is in their best interest to have the HCP.

Regarding other ways to minimize harm to resources: He also would like to get them not to drive through the creek. There are millions of visitors. Every vehicle has to cross the creek going in/coming out. If they take a break for a burger, that is another trip in and out. They've looked at alternatives- alternate entrances. For various reasons none of them panned out. They have talked about a military style portable bridge. You cant have a permanent bridge because the creek moves. Now that would involve State Lands property, so that adds another permitting agency to coordinate with.

He thinks State Parks has an obligation, under the Public Resources Code, especially when their own Scientific Subcommittee suggests something, to give it some life and he thinks it is totally political that they haven't done so- the off-road vehicle industry influence is too great. The TRT is willing to hang together until the HCP, but may not continue after that - after 14 years it is difficult.

Feb. 9, 2015

/s/Jana Zimmer



Safe Beach Now
P.O. Box 27
Pismo Beach, CA 93448
805 773 4771

February 6, 2015

California Coastal Commission
odsvracomments@coastal.ca.gov

Dear Commissioners:

Please see our documentaries that provide information about the ODSVRA at safebeachanddunes.org. There are seventeen thirty minute videos about the health threatening particulate matter. Of particular interest to those of you who are not as familiar with the ODSVRA might be the video Air Pollution and Off-roading on County Land. It can be seen at <http://vimeo.com/782678>.

Our documentaries include:

- Child Endangerment
- Wild Wild West Part 1
- Wild Willd West Part 2
- Off Roding vs the Habitat in Arroyo Grande Creek
- Global Warming, Off Roding, and Science
- Distortions in the Dunes
- December Decision Part 1
- December Decision Part 2
- Deception and the Dunes
- Danger Zone vs Safe Beach
- What Nipomo Needs to Know Now
- Deadly Dunes and the Dollar
- Children on Dangerous ATV's on Oceano Beach.

Thank you,

Marsha Lilly, President



Jim Suty, President
15131 Garcal Drive
San Jose, CA 95127
805-994-9309
E-mail: jim@oceanodunes.org
www.oceanodunes.org

February 9, 2015

BY FAX: (831) 427-4877
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, CA 95060

RE: Coastal Commission Re W14A
February 11, 2015 Meeting

Comments of Friends of Oceano Dunes Re Review of overall effectiveness of methods being used to manage vehicle impacts in relation to coastal resources at the Oceano Dunes State Vehicular Recreation Area (ODSVRA), coastal permit 4-82-300 as amended, in the Pismo Beach, Grover Beach, and Oceano Dunes areas of San Luis Obispo County

Dear Commissioners and staff:

These comments are filed on behalf of Friends of Oceano Dunes, Inc. ("Friends"), which is a California not-for-profit corporation, representing approximately 28,000 members and users of the Oceano Dunes State Vehicle Recreation Area ("SVRA") located near Pismo Beach, California.

Friends is a public watchdog organization created in 2001 expressly to preserve and expand recreational uses at Oceano Dunes SVRA. Friends' watchdog role includes review and challenges to local, state and federal rules and activities that may impact, restrict or limit recreational uses at Oceano Dunes. Friends' members live near, use, recreate, visit and personally enjoy the aesthetic, wildlife and recreational resources of the dunes area, including off road recreation, hiking, and observing wildlife.

Staff prepared a report dated January 30, 2015 for the CCC's February 11, 2015 hearing regarding a review of the overall effectiveness of methods being

Friends of Oceano Dunes is a 501(c)(3) California Not-for-Profit Public Benefit Corporation, comprised of over 28,000 supporters. We represent businesses, environmentalists, equestrians, campers, fishermen, families and off-road enthusiasts who enjoy the benefits of Public Access through Responsible Recreation at the Oceano Dunes State Vehicular Recreation Area (ODSVRA). We want to maintain Access For All!

used to manage vehicle impacts in relation to coastal resources at the Oceano Dunes State Vehicular Recreation Area (ODSVRA). Oceano Dunes is being operated under CDP 4-82-300 as amended ("Staff Report").

Friends submits these comments on its behalf and its members' behalf:

Point #1: State Parks must comply with legislative mandates to expand and facilitate OHV riding areas. While OHV riding and environmental concerns may be balanced, the individual and aggregate impacts of the measures proposed in the Staff Report are focused solely on closing riding areas in addition to the thousands of acres that already have been closed.

Point #1.1: Friends' and its members' legal right to operate OHV within the SVRA, created under a state law specifically to facilitate OHV riding on areas uniquely suited for such activity (Pub. Res. Code § 5090, et seq.), will be eliminated or unduly restricted if large portions of the park are closed to recreational vehicle activity.

The California Legislature enacted legislative mandates to provide OHV riding and public recreational opportunities. The law declared a state policy of setting aside "effectively managed areas and adequate facilities for the use of off-highway vehicles . . ." Public Resources Code ("PRC") § 5090.02(b). "State vehicular recreation areas shall be established on lands where there are quality recreational opportunities for off-highway motor vehicles and in accordance with the requirements of Section 5090.35." PRC § 5090.43(a).

Instead of decreasing OHV use areas, it is the "**intent of the Legislature**" that: "(1) Existing off-highway motor vehicle recreational areas, facilities, and opportunities **should be expanded** and managed in a manner consistent with this chapter, in particular to maintain sustained long-term use. (2) New off-highway motor vehicle recreational areas, facilities, and opportunities should be provided and managed pursuant to this chapter in a manner that will sustain long-term use." PRC §5090.02(c).

The Legislature also tasked State Parks with ensuring that "**Areas shall be developed, managed, and operated for the purpose of making the fullest public use of the outdoor recreational opportunities present.** The natural and cultural elements of the environment may be managed or modified to **enhance the recreational experience** consistent with the requirements of Section 5090.35," which includes preparation of an habitat protection program that might require a temporary closure only. PRC § 5090.35(c)(2) ("If the division determines that the habitat protection program is not being met in any portion of any state vehicular recreation area, the division shall close the noncompliant portion **temporarily** until the habitat protection program is met.") (Emphasis added)

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The SVRA Act gave the OHV Division within State Parks broad powers to plan and administer SVRAs including the newly created Pismo Dunes. Pursuant to PRC §5090.32(a), State Parks has the duty and responsibility for "planning, acquisition, development, conservation, and restoration of lands" within SVRAs. See also, PRC § 5090.35(a).

As stated by State Parks, the size of the OHV riding area at Oceano Dunes has been reduced from a historical 25,000 acres to 1,500 acres, and any further reductions would violate the legislative mandates to provide for OHV riding:

". . . DPR has not[ed] . . . that the size of the riding area has been reduced from 25,000 acres prior to 1983 to less than 1,500 acres today, in large part to protect sensitive habitats. The 2014 annual report states "the park believes it is having good results with the current management program", while also stating that any additional closure of the Park to OHV use would be inconsistent with its legislative mandates to provide for vehicular riding and its management goals of providing public recreational opportunities. " (Staff Report, p. 30) (Emphasis added)

Friends also contends that any further reductions in the riding area would violate state law.

Point #1.2: The measures discussed and proposed in the Staff Report do not "balance" OHV riding and environmental concerns as the measures proposed are focused on closing riding areas.

The Staff Report cites statutory authority (PRC Sections 5090.02(3) and 5090.35) as authority for allowing "balancing" OHV use and coastal resource protection. (Staff Report, p. 7 ("Thus this enabling legislation provides for a balancing of recreational and environmental factors, mandates an Off-Highway Vehicle Commission composed of a variety of interest groups to oversee the designated vehicular recreation areas, and specifically allocates funding to both recreation and conservation projects. The original legislation identified six existing OHV areas, including ODSVRA (then called out as Pismo Dunes). Land proposed for OHV facilities was selected primarily on the basis of its ability to provide satisfactory recreational opportunities for OHV enthusiasts. Natural and cultural elements of the selected lands were considered secondary, and it was identified that they could be managed or modified to enhance their primary recreational value.").

Section 5090.02(3) states that "The indiscriminate and uncontrolled use of those vehicles may have a deleterious impact on the environment, wildlife

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habitats, native wildlife, and native flora," but staff ignore that State Parks currently manages the SVRA to prevent "indiscriminate and uncontrolled use of vehicles." Section 5090.35 requires repair and maintenance of OHV areas and trails for public safety, soil conservation standards to allow "restoration of off-highway motor vehicle areas and trails," and the temporary closure of OHV area to comply with habitat protection plan prepared and managed by the division.

Even under the Staff's view of balancing OHV with environmental factors, staff suggestions exceed Commission authority because the measures proposed in the Staff Report focus on trying to reduce riding areas rather than attempting to "balance" use with environmental protection. The historical reduction from 25,000 acres to 1,500 acres of riding area is not "balancing." It is eliminating.

Point #2: The CCC's "annual review" exceeds its authority under the California Coastal Act and under CDP 4-82-300-A5, As Amended.

The California Coastal Act does not authorize the CCC to issue CDPs that create "annual reviews" of the effectiveness of State Parks in managing SVRA resources. (Staff Report, p. 9 "Essentially, CDP 4-82-300 initiated what was seen as a long-term program to manage OHV use. The permit created an annual review process to evaluate the effectiveness of DPR in managing ODSVRA resources. Based on the effectiveness of DPR in managing ODSVRA resources, OHV use within the ODSVRA could be modified as required to further protect ODSVRA resources. However, if ODSVRA resources were found to have been effectively managed, OHV use could be increased to a level not to exceed the enforcement and management capabilities of DPR.") (Emphasis added)

The CCC's authority is limited by the Legislature. It has no independent authority. Under the California Coastal Act, the CCC has the "development review authority" to review and approve or reject CDPs for developments in the coastal zone (PRC, § 30519, 30352(a), 30600, 30601) The CCC also may review certified LCPs every 5 years to determine whether it is "being effectively implemented in conformity with the policies of this division." PRC, § 30519.5(a). Development review authority for a CDP does not include "annual review" authority that persists for 33 years after the CDP was issued in 1982. If the CCC believes the State Parks is failing to abide by the conditions of the permit, the CCC has enforcement authority.

The CCC's authority is also self-limited. When the CCC issued the CDP in 1982, the CCC purported to establish "annual reviews," and subsequently expanded this "authority" in 1983. However, in 2001, the CCC "repealed" this "annual review authority" which is now limited to reviewing the Technical Review Team or TRT, not the permit. However, the CCC's staff has not

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recognized these changes but continue to operate as if the CCC could annually review the 1982 CDP and any subsequent issues that might arise in the SVRA.

It should also be noted that in 1992, when the Legislature added a section in Article 3 of the Coastal Act certain powers and duties to include authority to establish scientific panels, it limited those panel's role to reviewing technical documents to advise the CCC on technical decisions, not general overview of permits:

"The commission shall, if it determines that it has sufficient resources, establish one or more scientific panels to review technical documents and reports and to give advice and make recommendations to the commission prior to making decisions requiring scientific expertise and analysis not available to the commission through its staff resources. It is the intent of the Legislature that the commission base any such technical decisions on scientific expertise and advice. The panel or panels may be composed of, but not limited to, persons with expertise and training in marine biology, fisheries, geology, coastal geomorphology, geographic information systems, water quality, hydrology, ocean and coastal engineering, economics, and social sciences." Public Resources Code, § 30335.5(a).

This establishment and use of scientific panels was designed to provide assistance to the CCC in its decisions authorized by statute, an interpretation supported by the CCC's own 2001 amendment to this CDP eliminating annual review.

The initial CDP (4-82-300) was for the development of a "staging area location" in which an "interim OHV staging area [that] shall be operation[al] no later than" Labor Day weekend in 1982 and subsequent construction of a permanent staging area. (CDP 4-82-300, Condition 1)

Historically, CDP 4-82-300 purported to provide for an annual review until a permanent staging area is operational:

"If construction and operation of a permanent staging area cannot be accomplished within the above time limits, this permit shall be subject to review and modification if necessary or appropriate by the County or the Commission or either in consultation with the other." CDP 4-82-300, Condition 1(B)

and

"Six months after the issuance of this permit, and annually thereafter

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until a permanent staging area is operational, a formal review of the effectiveness of the conditions of the permit shall take place. This review shall be undertaken jointly by designated representatives of the California Coastal Commission, the California Department of Fish and Game, the County of San Luis Obispo, the Community of Oceano, the California Department of Parks and Recreation and user groups." CDP 4-82-300, Condition 6.

Condition 6 provided a standard for the annual reviews based on balancing environmental and OHV interests and values:

"If after each of the annual reviews, or after the three year review required in condition 1(b) above, it is found that the Off-Highway Vehicle (OHV) use within the Pismo Dunes State Vehicle Recreation Area (PDSVRA) is not occurring in a manner which protects environmentally sensitive habitats and adjacent community values consistent with the requirements of the San Luis Obispo Local Coastal Program Land Use Plan, then OHV access may be further limited pursuant to the access and habitat protection policies of the County certified Land Use Plan. If the above reviews find that OHV use within the PDSVRA is consistent with the protection of environmentally sensitive habitats and adjacent community values, and/or that additional staff and management revenues become available to the California Department of Parks and Recreation, levels of OHV use of the PDSVRA may be increased to a level not to exceed the enforcement and management capabilities available to the Pismo Beach State Parks Units." (CDP 4-82-300, Condition 6)

This standard in Condition 6 was deleted in a 1983 amendment and replaced with the following:

"If, after an annual (or any other) review it is found that the ORV use within the SVRA is not occurring in a manner that protects environmentally sensitive habitats and community values consistent with the conditions of this permit and the County's Local Coastal Plan, then OHV access and the number of camp units allowed may be further limited by the Executive Director with concurrence by resolution of the Board of Supervisors of San Luis Obispo County. If the above reviews find that OHV use in the SVRA is consistent with the protection of environmentally sensitive habitats and community values, and/or that additional staff and management revenues become available to the DPR, levels of OHV access and the allowable number of camp units may be increased not to exceed the enforcement and management capabilities of the DPR by determination of the Executive Director with concurrence by

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resolution of the Board of Supervisors of San Luis Obispo County."
CDP 4-82-300-A2 (1983)

The 1983 CDP contains an unlawful standard - "community values consistent with the conditions of this permit." Such a standard is not authorized by the Coastal Act. Also, the phrase "community values" is vague, undefined and not authorized by the Coastal Act.

The 2001 amendment (CDP 4-82-300-A5) established and defined the TRT as "advisory to the Superintendent of the Oceano Dunes State Vehicular Recreation Area" (Condition 4). The TRT duties included assisting in "building community support through problem solving, consensus building, new constituency development, and increasing understanding about the ODSVRA," and developing "recommendations to the Superintendent of the ODSVRA regarding additional monitoring studies, adjustments to day and overnight use limits, and management strategies." (CDP 4-82-300-A5 (2001), Condition 4) Condition 4 also required the creation of a "scientific subcommittee to identify, develop and evaluate the scientific information needed by decision-makers to ensure that the ODSVRA's natural resources are adequately managed and protected," and stated what governmental agencies would be sitting on this TRT. Condition 5 required that the TRT submit annual reports to the CCC.

The 2001 amendment also established Special Condition 2, which **recognized and limited annual reviews by the CCC to the effectiveness of the TRT, not permit conditions or OHV use.** In 2001, "CONDITION 6 as amended in 4-82-300-A2 replaced by CONDITION 2 of this amendment" to provide that the CCC shall conduct annual reviews of the effectiveness of the TRT:

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2. **Renewal of Permit.** Annually, the Commission shall review the overall effectiveness of the Technical Review Team in managing vehicle impacts at the ODSVRA. If the Commission is satisfied with the review, the amendment will remain in effect for another year. Otherwise, an alternative approach to resource management, or set of management measures, may be instituted through this review process.

(CONDITION 6 as amended in 4-82-300-A2 replaced by CONDITION 2 of this amendment)

~~6. Six months after the issuance of this permit, and annually thereafter (or as needed) until a permanent staging area is operational, a formal review of the effectiveness of the conditions of the permit shall take place. This review shall be undertaken jointly by designated representatives of the California Coastal Commission, the California Department of Fish and Game, the County of San Luis Obispo, the Community of Oceano, the California Department of Parks and Recreation and user groups.~~

~~If, after an annual (or any other) review it is found that the ORV use within the SVRA is not occurring in a manner that protects environmentally sensitive habitats and community values consistent with the conditions of this permit and the County's Local Coastal Plan, then OHV access and the number of camp units allowed may be further limited by the Executive Director with concurrence by resolution of the Board of Supervisors of San Luis Obispo County. If the above reviews find that OHV use in the SVRA is consistent with the protection of environmentally sensitive habitats and community values, and/or that additional staff and management revenues become available to the DPR, levels of OHV access and the allowable number of camp units may be increased not to exceed the enforcement and management capabilities of the DPR by determination of the Executive Director with concurrence by resolution of the Board of Supervisors of San Luis Obispo County.~~

Staff argues that "Until a permanent staging area is selected, the Commission or the County may review and modify the CDP as necessary." (Staff Report, p. 14) But as shown above, the annual review requirement was eliminated in 2001.

Further, condition 1B and 2 are internally inconsistent in terms of whether an amendment to the LCP/LUP is required or not. Condition states LUP amendment is not required so long as the permanent staging sites are operational, which they effectively have been for 30 years.

Thus, neither the Coastal Act nor the CDP authorizes an annual review of the CDP. In addition, the CCC is misusing the TRT and has de facto attempted to expand the TRT's authority to include permit review which is not authorized.

Point #3: Year round closure for Western Snowy Plover and California Least Tern is not needed.

Staff suggests the "next step" for SVRA management as "implementation of a study that provides information on the effectiveness and impacts associated with a year-round exclosure for Western snowy plover and California

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least tern, including its impacts on recreational vehicular activity." (Staff Report, p. 3)

The impacts on OHV use are obvious - More restrictions on use. Such closure is not needed because there is already OHV closure for much of the year and fledge rates exceed the FWS' recovery goal. Pursuant to Section 4(f) of the Endangered Species Act (16 U.S.C. §1533(f)), the FWS is charged with recovery plans.

OHV is already restricted for 7 months of the year on 250 acres of OHV riding area:

"A portion of the Park is closed to OHV use for 7 months out of the year for habitat purposes. Specifically, DPR installs and maintains fencing restricting OHV use to protect nesting California least terns and Western snowy plovers (Federally-designated endangered and threatened species, respectively) along the shoreline and covering an area of approximately 300 acres from March 1st to September 30th each year. This seasonal nesting enclosure area is referred to as the Southern Enclosure (see Exhibit 2). Approximately 250 acres of the enclosure is within an area that is otherwise open to OHV use the other 5 months of the year, extending from approximately Post 6 south to Post 8 to the Oso Flaco Lake area." (Staff Report, p.6)

In addition to fencing off hundreds of acres during the nesting season for 7 months, State Parks "also fences off any least tern or snowy plover nests found in the open riding area." (Staff Report, p. 29)

The FWS WSP Recovery Plan (2007)
http://ecos.fws.gov/docs/recovery_plan/070924.pdf
incorporates current OHV restrictions and management at SVRA as "reasonable actions" to protect and recover the WSP: "At Pismo/Oceano Dunes State Vehicular Recreation Area, California, management strategies include fenced-off nesting areas; placement of enclosures around nests; restrictions on vehicle speed and access areas; and requirements that car campers remove all trash." (WSP Recovery Plan, p. 100)

Nesting reports show that fledge rates for both Western Snowy Plover and California Least Tern are **above the FWS's recovery goal**:

"Since the last Commission annual review in 2007, the nesting reports have shown that the **ODSVRA fledge rates for both WSP and CLT have generally been above USFWS's recovery goal** of one fledged chick per adult male. The 2014 nesting report, as

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summarized by the TRT's annual report (see Page 1 of Exhibit 6), generally also echoes such findings:

'WSP had a good hatching success with 82.6% (compared to an 77.8% hatch rate for 2013), and a chick fledging success rate of 35.8% (compared to a 55.4% fledging rate for 2013 and a 25.0% fledging rate for 2012). **The WSP fledge rate was an estimated 1.63 juveniles fledged per male, exceeding the U.S. Fish and Wildlife Service (USFWS) recovery goal of one fledged chick per adult male but falling below the previous year's rate of 2.03.** CLT had a 2% decrease of breeding pairs from the 2013 season with a minimum of 47 pairs compared with 48 in 2013. Fifty-eight of the 76 chicks fledged for a rate of 76.3% and **1.23 chicks fledged per pair.**' (emphasis added)

The report further found that the Oceano Dunes area has seen "**remarkable growth**" in the **adult WSP breeding population**, but CLT breeding numbers remain flat for unknown reasons." (Staff Report, pp. 28-29)(emphasis added)

State Parks has not supported a year-round closure study because the size of the OHV riding area has been reduced already from 25,000 acres to less than 1,500 acres today to protect sensitive habitats, there are already good results with management, and additional closure would violate its legislative mandates to provide OHV riding and public recreational opportunities. (Staff Report, p. 30) It also is unnecessary given the success of the WSP management program.

Point #4: The District's dune crust theory is not scientifically accurate.

Regarding air quality and dust control, the California Geological Survey states that there are layers of sand not a dune crust. The District's theory is that OHV riding breaks the dune crust, which prevents sand emissions, and then the broken crust frees up sand to be carried by the wind to residential areas:

"According to the report, more PM10 emanates from the SVRA because OHV activity prevents formation of a stabilizing crust in the SVRA through continual disturbance of the sand surface and prevents vegetation from growing in the riding area of the SVRA. (page 6-5). The authors state wind will move sand more readily in a dune environment when there is no stabilizing crust and little or no vegetation. They equate their observation of a crust in the dunes south of the SVRA to a crust that forms in the Owens Lake playa, in Owens Valley, California." (CGS Evaluation of SLOAPCD Phase 2 Report (2010), p. 2 <http://ohv.parks.ca.gov/pages/1140/files/cgs-review-of-slophase2.pdf>)

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The CGS has concluded that there is no stabilizing crust at SVRA, but rather dune laminae or layers:

"Additionally and probably because there was no consideration of geologic setting, the authors mistakenly and repeatedly equate the coastal dune environment of the south county to Owens Lake. Owens Lake is a high desert playa—a broad, very shallow basin with no outlet. Waters that flow to the basin are mineral-rich and eventually evaporate, leaving behind a durable crust of mineral salts. In the most basic of ways, the coastal dunes of southern San Luis Obispo County differ from the Owens Lake playa because they are dunes, not a dry lake, and because they are on the coast, not the high desert. And there is no stabilizing crust in the dunes south of the SVRA that is comparable to the salt flats of the Owens Lake playa. There is no stabilizing crust at all. The authors mistakenly identify dune laminae as a stabilizing crust." (CGS Evaluation of SLOAPCD Phase 2 Report (2010), p. 2
<http://ohv.parks.ca.gov/pages/1140/files/cgs-review-of-slophase2.pdf>)

Point #5: Vehicle use limits should not be decreased in order to address fugitive dust emissions and seasonal limits should not be imposed.

State Parks found earlier that a non-holiday maximum of 4,300 vehicles per day, including OHV's, could be managed without significant degradation of coastal resources. (Staff Report (1998) source:
<http://www.coastal.ca.gov/pdf/4-82-300.pdf> ("Staff recommends that the Commission accept the carrying capacity study prepared by the Department of Parks and Recreation as partial fulfillment of Conditions #3.D and #6; and, establish an interim limit on vehicle day use at a non-holiday maximum of 4,300 vehicles per day, including off-highway vehicles (OHV's). This number reflects the maximum amount of OHV day use that the Department believes it can manage without significant degradation of coastal resources.") State Parks conducted a study, *Oceano Dunes State Vehicular Recreation Area Off-Highway Vehicle Day-Use Carrying Capacity Study (1998)*, concluding that "the OHV day use carrying capacity of Oceano Dunes SVRA be established at those levels that were prescribed in the Park's General Plan (i.e., 4300 Day Use vehicles including OHVs). . . ." The Department of Parks and Recreation (DPR) concluded that the 4300 figure would not have any adverse effects, based on the results of data collection and data interpretation concerning visitor types, interaction and compatibility of uses, visitor safety, sensitive natural resources, air quality, and sanitation and traffic impacts on the local economy." (1998 Staff Report, p. 10)
This study evaluated six criteria: Visitor type, interaction and compatibility of

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uses; Visitor safety; Sensitive natural resources; Sanitation; Traffic impacts on the local community; and Air Quality. (1998 Staff Report, p. 10) "Commission staff recommended the establishment of an interim limit on vehicle day use at a non-holiday maximum of 4,300 vehicles per day, including off-highway vehicles. The decision to use these numbers was based on historic use numbers. The interim limit reflected the maximum amount of OHV day use that DPR believed it could manage without significant degradation of coastal resources." (Staff Report, p. 11)

In Special Condition 3 of CDP 4-82-300-A5, established interim vehicle use limits were redefined as 2,580 for street-legal vehicles and 1,720 for OHV:

"Special Condition 3 of CDP 4-82-300-A5 established interim vehicle use limits. As detailed in the original permit findings, the determination of interim vehicle use limits for ODSVRA lacked rigorous supporting information because determining appropriate use numbers would require extensive study and analysis and is dependent on a variety of factors. The limit of 4,300 day-use vehicles had historically been accepted absent any compelling evidence that it should be some other number. Interim vehicle use limits were subsequently redefined through CDP amendment 4-82-300-A5 as follows:

...a. Interim Day-Use Vehicle Limits. Except as qualified by 3d14, interim limits on motor vehicle use on the beaches and dunes of Oceano Dunes SVRA shall be no more than 2,580 street-legal vehicles per day. This limit does not include off-highway vehicles, or street-legal vehicles attributable to allowed overnight camper use within the ODSVRA.

...c. Interim Off-Highway Vehicle Limits. Except as qualified by 3d, interim limits on off highway vehicle use on the beaches and dunes of Oceano Dunes SVRA shall be no more than 1,720 off-highway vehicles at any given time. This limit does not include the street-legal vehicles used to tow or trailer the OHVs into the ODSVRA." (Staff Report, p. 19)

Vehicle use limits should not be further decreased in order to address fugitive dust because, as Dr. Koteen noted, it is not known if high ridership causes higher emissions:

"A priority of future work should be to document the number of OHVs that frequent each region of the ODSVRA with the express goal of **understanding** if relatively high ridership explains higher particulate emissions in some regions of the park relative to

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others." (Staff Report, p. 26)(Emphasis added); See also, Desert Research Institute, *2013 Intensive Wind Erodibility measurements at and Near the Oceano Dunes State Vehicular Recreation Area: Preliminary Report of Findings* (2104), pp. 6-7 ("What these measurements do not elucidate is the cause for this elevated potential for emissions in the riding areas. If OHV riding is causing the elevated potential for emissions, then it would be very useful to determine by what physical means this is occurring. If OHV riding and elevated potential for emissions are simply coincidental, this too would be important as it has direct implications for possible control measures.") source link:

http://slocleanair.org/images/cms/upload/files/DRI_Write-up_PI-SWERL_measurements_07_2014_preliminary_report%281%29.pdf

It is also unknown if prohibiting riding seasonally will result in measurable air quality improvements:

"DPR is currently developing a programmatic EIR to support its current dust control CDP application, and it is clear that that process can provide an appropriate vehicle for evaluating dust control mechanisms and potential responses. Although the dust control issue is complicated, it is not going away, and it is imperative that measures be put in place to reduce particulate emissions as soon as possible. DPR is committed to this effort, including in partnership with CARB, APCD, and the Commission. As the EIR and CDP application process continues to unfold, staff believes that there will be ample opportunity for the kind of evaluation of alternatives that will prove critical for implementing a dust control program that can meet the requirements of APCD Rule 1001 and the Commission's CDP, and that will result in measurable air quality improvements. It will be important for such evaluation to **study the air quality impacts associated with a variety of targeted controls, including analyzing the impacts of revegetating dunes, closing certain riding areas, rebuilding the dune's protective biological crust, and prohibiting riding seasonally.**" (Staff Report, pp. 26-27)

Point #6: Areas open to riding should not be restricted and vegetation islands should not be placed in the riding areas.

The "Next Steps" include recommendations of mechanisms to reduce particulate emissions related to Rule 1001 for a CDP issued for the development of a staging area, such as restricting open riding areas and creating vegetation islands within the riding areas:

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"Dr. Koteen's conclusions are that the ODSVRA riding areas appear to be the source of particulate emissions recorded at the Nipomo Mesa stations, and that:

...Several mechanisms to reduce particulate emissions have been suggested. One option is to restrict the areas open to riding; a measure that may be necessary in the short term. Over the longer term, an effective option may be to establish large vegetation islands within the riding areas perpendicular to the direction of high winds that can act as barriers to particulates and prevent them from traveling to the Nipomo Mesa and other downwind areas (Zeldin 2015)." (Staff Report, p. 26; See also, Exhibit 11, pp. 4, 6-7)

"Since 1983, when Oceano Dunes SVRA was established under the Off-Highway Motor Vehicle Recreation Division of CSP, vegetation has increased in some areas and decreased in others. However, the overall number of vegetated acres has increased." (State Parks letter to the District, *March 24, 2010, Meeting Agenda item C-1; Presentation of final report on the South County Phase 2 Particulate Phase Study - Comments and Objections of California State Parks*, p. 4, link: http://ohv.parks.ca.gov/pages/1170/files/ohmvr-apcd-letter_3-22-10.pdf) A 1998 study stated State Park's conclusion that "there was strong evidence that the balance between vegetated and non-vegetated portions of the dune system is being maintained." (Staff Report, p. 11)

State Parks has decreased the amount of open sand areas in the dunes by increasing areas of vegetation and thus decreasing sand saltation. Will J. Harris, California Geological Survey, *Subject: In consideration of Draft Rule 1001 proposed by the San Luis Obispo County Air Pollution Control District: An analysis of Wind, Soils, and Open Sand Sheet and Vegetation Acreage in the Active Dunes of the Callender Dune Sheet, San Luis Obispo County, California* (2011), p. 7 (source: http://ohv.parks.ca.gov/pages/1170/files/cgs-report_re_draft-rule.pdf) Since the 1930's, within the SVRA boundaries, there has been an increase of 650 acres of vegetation with a corresponding decrease in open sand sheet acreage. There is also an increase of "approximately 196 acres" of vegetation and corresponding decrease in open sand sheet acreage for the area "south of the Pismo Dune Preserve and north of Oso Flaco Lake." *Id.* These figures represent data to 2010. A vegetation analysis shows that the "amount of vegetation within and near the OHV riding area, as measured between the years 1985 and 2003, increased approximately 80 acres." *Id.*

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Point #7: Soil binders or stabilizers have not been tested on dunes.

In terms of air quality and dust control, Dr. Laurie Koteen, the CCC's staff ecologist, citing Mel Zeldin, discusses the "next steps," including the option of using "environmentally safe soil binding agents in conjunction with fencing to hold the soil in place until biological crusts develop naturally¹. However, these measures would not have lasting value unless riding was also restricted in the treated areas." (Staff Report, p. 26; Exhibit 15, p. 10) In Exhibit 11, San Luis Obispo County APCD Air Quality Recommendations in a letter dated January 15, 2015, SLO APCD turned to its consultant, Mel Zeldin, to answer the question of what is the "most efficient and cost effective measures to reduce dust emissions to be in compliance with Rule 1001?" (Exh. 11, p. 4) Mr. Zeldin "identified eliminating riding upwind of the affected populated areas as the most effective strategy." (Exh. 11, p. 4) The District then states:

"We believe the use of soil binders² and sand fencing, as is currently proposed by State Parks for 2015 dust control, will provide immediate help in dust reduction, but are not adequate without significant revegetation to achieve compliance with Rule 1001. Nonetheless, soil binders have the potential to be far more effective than sand fencing in terms of dust reduction and cost and, if proven feasible for use at the ODSVRA, may be the best interim control measure before revegetation efforts are fully established. Thus, adequate testing of soil binders is essential to determining their potential effectiveness." (Exh. 11, p. 5)

Exhibit 11 includes a letter (dated January 21, 2015) from Mel Zeldin with his recommendations as an attachment. Mr. Zeldin provides his background of working with the South Coast AQMD in the 1990's for work addressing the PM10 State Implementation Plan for the Coachella Valley, where the combination of wind and sand caused exceedances of the federal PM 10 standards. Zeldin recommends soil stabilizers:

¹ Given that there is no stabilizing crust, the CCC could be waiting forever for "crusts" to "develop naturally" and thus the restricted riding in treated areas would be of an unlimited duration.

² "Soil binders consist of applying and maintaining a soil stabilizer to exposed soil surfaces. Soil binders are materials applied to the soil surface to temporarily prevent water-induced erosion of exposed soils on construction sites. Soil binders also provide temporary dust, wind, and soil stabilization (erosion control) benefits." Source:

<http://www.dot.ca.gov/hq/construc/stormwater/SS-05.pdf>

"From the Coachella Valley experiences, we found that eco-friendly soil stabilizers had about twice the control effectiveness as wind fences; and the South Coast AQMD's "Dust Control in the Coachella Valley - Volume 1" lists close to 100 different soil stabilization products on the market, though very few would meet the conditions needed for the Oceano Dunes area; however, a few products would likely work well in this environment.

...Lastly, Mitigation #3 is the least permanent and would require likely annual reapplications of soil stabilizers and fencing, and the placements, if not strategically optimal, may need to be changed annually as to location and areal extent. " (Exh. 11, p. 8)

At least three problems arise. One, Melvin Zeldin, then with the South Coast Air Quality Management District, was one of the writers of a paper, "Evaluation of Fugitive Dust Control Methods in the Coachella Valley," dated 1993. The abstract for this study states that Coachella Valley needed to mitigate fugitive dust "caused by human activities and high-wind 'blowsand' events." However, testing of "chemical stabilizers were evaluated on unpaved roads," an "inactive construction site," and a "vacant lot," and not applied to sand dunes subject to wind and different terrain.

Two, Mr. Zeldin appears to base his recommendations regarding cost-effectiveness of SVRA mitigation measures on review of studies, but does not mention visiting to observe the wind conditions and other factors at SVRA. For example, he states: "The current conditions in the Oceano Dunes area, *based on a number of studies*, clearly show significant PM10 levels, sometimes exceeding federal PM10 standards, and more frequently the state PM10 standards. These conditions, *as measured at the CDF site* indicate unhealthful exposures to the population inland of the ODSVRA." (Exh. 11, p. 6) In terms of mitigation measures, he prefers to "eliminate all off-road vehicle activity in the area most impacting the downwind residential areas of the Nipomo Mesa" "based on all the *studies I have reviewed*." (Exh. 11, p. 6) Eliminating or restricting OHV use or areas becomes a pat answer not based on facts or science.

Three, the chemical stabilizers were applied to hard, smooth surfaces of "unpaved roads," an "inactive construction site," and a "vacant lot," not the unique topography of sand dunes. Apparently the stabilizers are designed to bind the soil or sand particles together to reduce dust, thus indicating it would yield a smooth surface. But, hay or straw bales are supposed to reduce emissions because the surface roughness is supposed to slow down the wind

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that carries the sand.

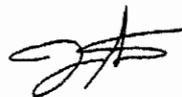
If "eliminating riding" areas is an action "not endorsed nor recommended by the SLOAPCD," then why conduct a study on soil binders or stabilizers when the "measures would not have lasting value unless riding was also restricted in the treated areas." (Staff Report, p. 26; Exhibit 15, p. 10) Zeldin indicated that soil stabilizer be applied to a not inconsequential area of 80 acres. (Exh. 11, p. 8 ("Further, from one of the vendors whose western operations are located in nearby Santa Maria, the application cost of an effective eco-friendly soil stabilizer is around \$1200 per acre. So an 80-acre area would cost about \$100k for the application, and additional costs for perimeter fencing."))

Point #8: APCD has determined health risks from dust are not a substantial risk.

The APCD blessed a housing subdivision in near the dunes with potentially higher than background particulate levels, finding no health risk:

"The project is located in an area identified by APCD in the 2012-2013 South County Forecast Zone Map that could potentially experience higher than background particulate levels but is located in the least severe of the three areas identified by APCD. Based upon that evidence as well as extensive APCD investigation and conclusions, the level of particulate matter in the project area **does not rise to a level of a significant health concern to sensitive groups.**" (Resolution No. 2014-10, RESOLUTION AFFIRMING THE DECISION OF THE PLANNING COMMISSION AND CONDITIONALLY APPROVING THE APPLICATION OF CYPRESS RIDGE L.P. FOR A VESTING TENTATIVE TRACT MAP 2993 AND CONDITIONAL USE PERMIT SUB2008-00028 (2014), Attachment 1, p. 5) (Emphasis added)

Sincerely,



Jim Suty
President – Friends of Oceano Dunes

CC: Tom Roth
FoOD BOD

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Particulate Matter Articles

rachelle toti [rachelletoti@gmail.com]

Sent: Saturday, February 07, 2015 5:38 PM

To: CoastalQDSVRAcomments

Attachments: COMPARISON OF PM 10 READI~1.docx (13 KB) ; Top Ten things to know.pdf (50 KB) ; Untitled (70 B) ; Untitled (70 B) ; coarse-particle-fact-sheet.pdf (439 KB)

Dear Commissioners,

Attached are some of the many articles that can be found on the health impacts of breathing high levels of particulate matter. I am also attaching a comparison chart I created to compare hourly readings for August 21, 2014 from Sacramento, San Luis Obispo and Arroyo Grande (CDF monitor). This chart was shared with the APCD Board last year.

I hope this gives you a better idea of the levels of pollution we are facing.

Sincerely,

Rachelle Toti

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COMPARISON OF PM 10 READINGS FOR SUNDAY AUGUST 31, 2014

HOUR	SACRAMENTO (T STREET)	SAN LUIS OBISPO (SO.HIGUERA ST)	ARROYO GRANDE (WILLOW ROAD)
10 AM	25.4	43.2	145.0
11 AM	22.3	30.9	331.0
12 PM	16.8	35.9	480.0
1 PM	22.6	27.8	272.0 *
2 PM	18.9	28.6	499.0
3 PM	22.11	25.1	385.0
4 PM	30.4	23.8	272.0
5 PM	35.3	19.1	169.0

PREPARED BY RACHELLE TOTI FROM AQMIS2 DATA.

*THIS NUMBER WAS REPORTED IN SEPTEMBER THEN LATER DELETED.



Top Ten Things To Know Air Pollution and Cardiovascular Disease (CVD)

1. The 2004 AHA Scientific Statement on Air Pollution and CVD concluded that “exposure to particulate matter (PM) air pollution contributes to cardiovascular morbidity and mortality.”
2. This update to the 2004 statement provides a review of new evidence and expert consensus opinions on the links of PM exposure to CVD. The goal is to highlight the implications to health and for the clinical setting from the newer information and to offer risk and exposure reduction recommendations.
3. Particulate matter in the atmosphere is characterized by size (does not include gaseous air pollutants):
 - <10 μm (thoracic particles [PM₁₀]),
 - < 2.5 μm (fine particles [PM_{2.5}]) – come primarily from burning of fossil fuels in traffic, by industry and in power generation.
 - <0.1 μm (ultra fine particles, UFP),
 - 2.0-10 μm (coarse particles [PM_{2.5-10}])
4. CVD morbidity and mortality is increased by short-term (days to hours) and long-term exposure to PM_{2.5}.
 - Increasing the 24-hour PM_{2.5} exposure by a concentration of 10 $\mu\text{g}/\text{m}^3$ can increase the relative risk for CV death by 0.4%-1.0%. In the U.S., “tens of thousands” of people a year die prematurely because of increased short-term exposure.
 - For long-term exposure, the World Health Organization has estimated over 800,000 deaths annually result from elevated exposure to PM_{2.5}. It ranks #13 worldwide as a cause of mortality.
5. Short-term exposures (days to hours) can increase the risk for myocardial infarction (MI), stroke, arrhythmias and heart failure (HF) in susceptible people (elderly, preexisting, unrecognized coronary artery disease, and structural heart problems)
6. CV mortality risk from long-term exposure to PM_{2.5} is greater than for short-term exposures, and absolute mortality rates for CVD is greater than for pulmonary diseases for short- and long-term PM exposures.
7. Current science suggests that air pollution can facilitate atherosclerosis development and progression and potentially play a role in hypertension, heart failure and diabetes.
8. There is no safe level of PM_{2.5}.
9. Precautionary approaches suggested include evidence-based CVD treatment, patient awareness of risks, information resources, Air Quality Index awareness, and reduction of exposures to polluted areas areas.
10. This scientific statement presents a summary of the current evidence and supports a causal link between PM_{2.5} exposure and death and morbidity from CVD. PM_{2.5} exposure is considered to be a modifiable risk factor, affecting global public health.

Brook RD, et al; on behalf of the American Heart Association Council on Epidemiology and Prevention, Council on the Kidney in Cardiovascular Disease, and Council on Nutrition, Physical Activity and Metabolism. Particulate matter air pollution and cardiovascular disease: an update to the scientific statement from the American Heart Association. *Circulation* 2010; published online before print May 10, 2010, 10.1161/CIR.0b013e3181d8e1.

<http://circ.ahajournals.org/cgi/reprint/CIR.0b013e3181d8e1>

Dangerous to Breathe: Why EPA needs to protect us from Coarse Particles



March 2011

What are coarse particles?

Inhalable coarse particles, or PM_{10} , are microscopic particles that measure less than 10 microns in diameter. These particles are small enough to evade the body's defense mechanisms and pass into the airways and the lungs.*

- How small? 1,000 PM_{10} particles could fit side to side across one end of a standard paper clip. See the figure below for other comparisons.

PM_{10} is a mixture of materials that can include metals, smoke, diesel soot, acids, dirt, pollen, and molds. These particles are often embedded with toxic substances such as organic hydrocarbons, metals (such as lead), and pesticides.

- Examples of manmade coarse particles include coal dust, fly ash, wood smoke, diesel soot, asbestos fibers, and roadside particles from tire and brake wear.

How does PM_{10} harm health?

Breathing high levels of particle pollution has been found to cause or likely to cause:

- death from respiratory and cardiovascular causes, including strokes;^{1,2,3,4,5,6}
- increased numbers of heart attacks, especially among the elderly and in people with heart conditions;^{7,8}
- increased hospitalization for cardiovascular disease, including strokes and congestive heart failure;^{9,10,11,12}
- increased breathing difficulty and need for asthma inhaler;¹³
- hospitalization for asthma among children; and^{14,15,16}
- aggravated asthma attacks in children.¹⁷

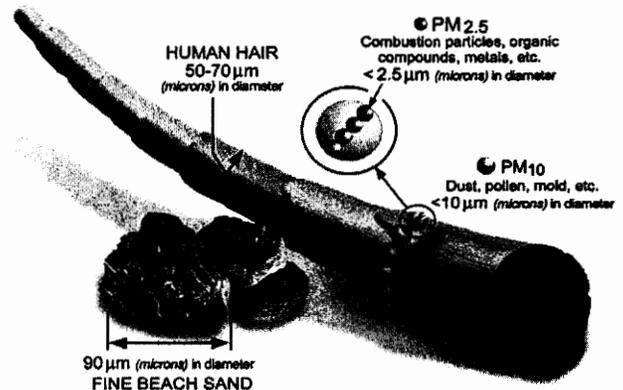


Image courtesy of the U.S. EPA

Coarse particles— PM_{10} —shown here as blue dots, can evade the lungs' natural defenses and harm cardiovascular and respiratory health.

* Particles less than 2.5 microns in diameter are categorized as "fine" particles or $PM_{2.5}$. When inhaled, particles of this size can penetrate into the small airways and air exchange regions of the lungs. PM_{10} also includes particles this size.

EPA must continue to provide protection from coarse particle pollution

Congress long ago recognized that particles were dangerous. When Congress passed the Clean Air Act in 1970, they required EPA to set standards for safe levels of particulate matter. Congress recognized that research needed to continue to ensure that EPA used the most current research to set standards to protect public health, so the law requires EPA to review the standards every five years.

EPA has had standards in place for particles since 1971 and specifically for PM₁₀ since 1987. EPA is in the midst of its latest review that began in 2007. The scientific research has grown, adding more weight to the evidence that EPA needs to strengthen our protection from particle pollution.

¹ Zanobetti A, Schwartz J. The effect of fine and coarse particulate air pollution on mortality: A national analysis. *Environ Health Perspect* 2009; 117: 1-40.

² Samoli E, Peng R, Ramsay T, Pipikou M, Touloumi G, Dominici F, Burnett R, Cohen A, Kreswski D, Samet J. Acute effects of ambient particulate matter on mortality in Europe and North America: results from the APHENA study. *Environ Health Perspect* 2008; 116:1480-1486.

³ Dominici F, Peng RD, Zeger SL, White RH, Samet JM. Particulate air pollution and mortality in the United States: did the risks change from 1987 to 2000? *Am J Epidemiol* 2007; 166: 880-888.

⁴ Hong Y-C, Lee J-T, Kim H, Ha E-H, Schwartz J, Christiani DC Effects of Air Pollutants on Acute Stroke Mortality. *Environ. Health Perspect* 2002;110: 187-191.

⁵ Franklin M, Zeka A, Schwartz J. Association Between PM_{2.5} and All-Cause and Specific-Cause Mortality in 27 U.S. Communities. *Journal of Exposure Science and Environmental Epidemiology* 2007;17:279-287.

⁶ Mar TF, Norris GA, KoenigJQ, Larson TV. Association between air pollution and mortality in Phoenix, 1995-1997. *Environ Health Perspect* 2000; 108:347-353.

⁷ D'Ippoliti D, Forastiere F, Ancona C, Agabity N, Fusco D, Michelozzi P, Perucci CA. Air Pollution and Myocardial Infarction in Rome: a case-crossover analysis. *Epidemiology* 2003;14:528-535.

⁸ Zanobetti A, Schwartz J. The effect of particulate air pollution on emergency admissions for myocardial infarction: a multicity case-crossover analysis. *Environ Health Perspect* 2005; 113: 978-982.

⁹ Tsai SS, Goggins WB, Chiu HF, Yang CY. Evidence for an Association Between Air Pollution and Daily Stroke Admissions in Kaohsiung, Taiwan. *Stroke*. 2003;34:2612-2616.

¹⁰ Peng RD, Chang HH, Bell ML, McDermott A, Zeger SL, Samet JM, Dominici F. Coarse particulate matter air pollution and hospital admissions for cardiovascular and respiratory disease among Medicare patients. *JAMA* 2008; 299:2172-2179.

¹¹ Bell ML, Levy JK, Lin Z. The effect of sandstorms and air pollution on cause-specific hospital admissions in Taipei, Taiwan. *Occup Environ Med* 2008; 65: 104-111.

¹² Metzger KB, Tolbert PE, Klein M, Peel JL, Flanders WD, Todd KH, Mulholland JA, Ryan PB, Frumkin H. Ambient air pollution and cardiovascular emergency department visits. *Epidemiology* 2004; 15: 46-56.

¹³ Gent JF, Koutrakis P, Belanger K, Triche E, Holford TR, Bracken MB, Leaderer BP. Symptoms and medication use in children with asthma and traffic-related sources of fine particle pollution. *Environ Health Perspect* 2009; 117: 1168-1174.

¹⁴ Lin M, Chen Y, Burnett RT, Villeneuve PJ, Krewski D. The Influence of Ambient Coarse Particulate Matter on Asthma Hospitalization in Children: case-crossover and time-series analyses. *Environ Health Perspect* 2002;110:575-581.

¹⁵ Norris G, YoungPong SN, Koenig JQ, Larson TV, Sheppard L, Stout JW. An Association Between Fine Particles and Asthma Emergency Department Visits for Children in Seattle. *Environ Health Perspect* 1999;107:489-493.

¹⁶ Tolbert PE, Mulholland JA, MacIntosh DD, Xu F, Daniels D, Devine OJ, Carlin BP, Klein M, Dorley J, Butler AJ, Nordenberg DF, Frumkin H, Ryan PB, White MC. Air Quality and Pediatric Emergency Room Visits for Asthma in Atlanta, Georgia. *Am J Epidemiol* 2000;151:798-810.

¹⁷ Slaughter JC, Lumley T, Sheppard L, Koenig JQ, Shapiro GG. Effects of Ambient Air Pollution on Symptom Severity and Medication Use in Children with Asthma. *Ann Allergy Asthma Immunol* 2003; 91:346-53.

Dust From Off Road Vehicles on Dunes

JStrong739@aol.com

Sent: Sunday, February 08, 2015 7:32 AM

To: CoastalODSVRAcomments

Dear Commissioners-

My comments are regarding the frequent violation of State and Federal dust standards down wind from the Dunes caused from off road vehicles. The frequent violation of these standards cannot be denied. They are happening continually and it is causing a health hazard for those in the path of the dust.

The health effects of high dust also cannot be denied. They are well researched and documented for all to see.

It is for those in positions of responsibility to take actions to mitigate the problem. I ask you to take action to bring the dunes in compliance with Federal and State dust standards.

Sincerely,

Joe Strong
1929 Eucalyptus Road
Nipomo, CA 93444

805-619-0419

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Old County map with southern entrance

rachelle toti [rachelletoti@gmail.com]

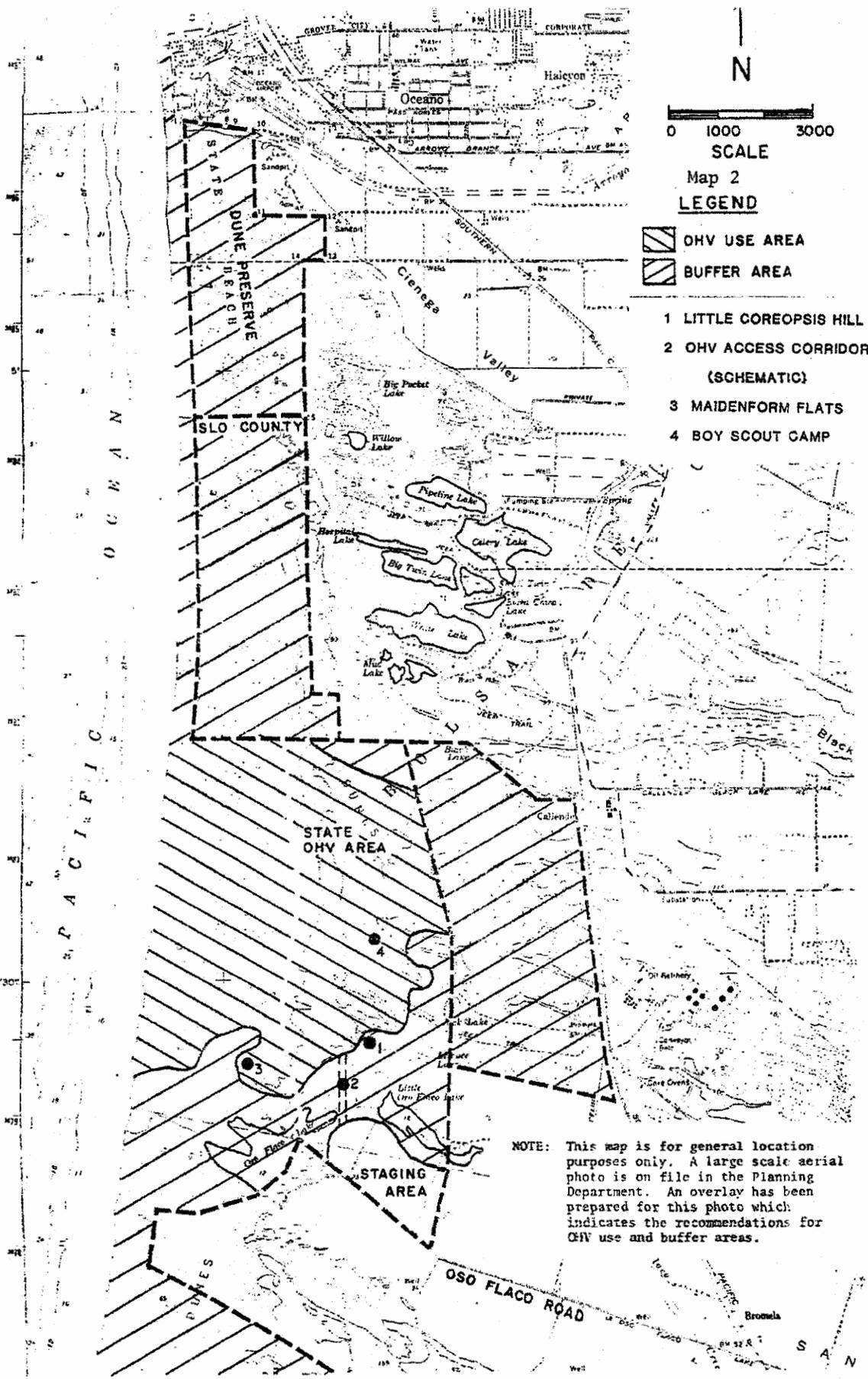
Sent: Sunday, February 08, 2015 1:45 PM**To:** CoastalQDSVRAcomments**Cc:** Buhr, Justin@Coastal**Attachments:** Scan0001.jpg (818 KB) ; OC-Map-ODSVRA - Copy.pdf (626 KB) ; Veg islands map.JPG (278 KB)

Dear Commissioners,

Both the 2007 and 2015 staff reports identify designating permanent entrances and staging areas as goals. The 2015 report also recommends revisiting/updating past studies and analysis of options. To assist that effort, attached is an old map that precedes the Figure 4 map in the Local Coastal Plan. There is an entrance shown near the #2. The second attachment is a current OHV map from State Parks. When you compare the two, it looks like the riding area expanded a bit, and so the proposed staging area might be closer to the riding area now. The staging area shown is currently an agriculture field. There is a railroad crossing on Oso Flaco Road, so if this were used as a southern entrance, one would not have to be installed. The feasibility of building a "land bridge" over the sensitive habitat area for OHV's to get to the riding area should be studied. It would reach from the Maidenform Flats area, over the creek connecting Little Oso Flaco Lake with the larger Oso Flaco Lake, to a staging area. It may be less environmentally damaging than what we have now. The Veg islands map gives a better view of how close these areas are.

Although the staff report contains language that the Oso Flaco Lake area cannot be used as a staging area, that may have meant the small parking lot and boardwalk to the beach which now exists. The area I am referring to is east of there by about 1/2 mile. There is a dirt road between the fields that leads up to the connecting creek.

Rachelle Toti



NOTE: This map is for general location purposes only. A large scale aerial photo is on file in the Planning Department. An overlay has been prepared for this photo which indicates the recommendations for OHV use and buffer areas.



State Vehicular Recreation Area

Oceano Dunes

180 James Way, Suite 220 • Pismo Beach, CA 93449 • 805.773.7170

Grand Avenue Park Entrance



For Access Point Entrance

Park Rules and Regulations

You are responsible for knowing park rules and regulations. All provisions of the California Vehicle Code are enforced. A copy may be found at <http://www.dmv.ca.gov/publications/vc.htm>.

The term DMV means off-highway vehicle. Any motor vehicle operated off-highway is an DMV. A highway licensed vehicle is an DMV when operated off of the highway. Vehicles having green and red stickers are DMVs.

ALCOHOL: Open containers and DUI laws apply off-highway just as they do on-highway. Don't drink and drive.

ATV LAWS: There are laws which apply specifically to the operation of ATVs only. For more complete information please see reverse page.

BEACH: Dogs must be kept on a leash at all times. Please clean-up after your dog.

HEADLIGHTS: DMVs operated between sunset and sunrise must display at least one lighted white headlight and one lighted red tailight visible from 200 feet.

NOISE EMISSIONS: The law limits noise emissions from all DMVs. Noise emissions for most DMVs are limited to not more than 96 dBA when measured from a distance of 20 inches using standardized test procedures. For more specific information, go to: http://dmv.parks.ca.gov/vehicle_emissions.

REACH AND OPERATE ALL CONTROLS: All operators of off-highway vehicles must be able to reach and operate all controls.

RESTRICTIONS: When operating an DMV you must display either a license plate or an DMV sticker. DMV stickers include "Green Stickers," "Red Stickers," California Nonresident DMV Use Permits, and DMV stickers from states that have an DMV program.

SPARK ARRESTERS: All vehicles operating off-highway must be equipped with either a steel legal muffler or a spark arrester maintained in effective working order.

SPEED: The speed limit is 15 mph on the beach and in camping and developed areas. Never drive faster than is safe for conditions.

SUSPENDED OR REVOKED LICENSES: Anyone whose driving privileges have been suspended or revoked is prohibited from operating any motor vehicle, on- or off-highway.

VIOLATION: It is never legal to cut over vegetation.

WHIP AND FLAG: All off-highway registered vehicles must have a whip and flag to operate at Oceano Dunes DMV. All highway registered vehicles must have a whip and flag to operate in the dunes.

Pacific Ocean

Private Property (no trespassing)

Oceano Dunes SVRA Map Legend

- DMV Recreation and Camping Area
- Street Legal Vehicles Only
- Closed to All Use March 1 - Sept. 30
- Closed to Motorized Use
- Closed to Motorized Use
- Closed to Public Use
- Fence
- ADA Accessible Beach Boardwalk
- Restrooms
- Beach Post Workers
- Sand Highway Workers
- Points of Reference
- Air Dump Station
- Entrance Station



Locations of features are representations. Actual locations of water features may vary with time as a result of weather, maintenance and other factors. Observe all signs, and use appropriate caution when traveling through the park.

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MP-4

MM-1

PH-2 MOYMELL

PAVILLION HILL
WORM VALLEY
BBQ FLATS

MP-5 BBQ FLATS SOUTH

MP-6 HEATHER
ACACIA C-3
COTTONWOOD

EUCALYPTUS NORTH

IM-1 IM-2

MP-7 EUCALYPTUS TREE INDIAN MIDDEN SOUTH
EUCALYPTUS SOUTH BOYSCOUT NORTH

7.5 Reveg
7.5 REVEG

TABLETOP
Willow
Willow
Willow

BSC-2

BSC-3

BOYSCOUT CAMP

BSC-1

FA-3 FA-4

FA-2 FA-7 FA-8
++



Fwd: Letter to Commissioners

rachelle toti [rachelletoti@gmail.com]

Sent: Sunday, February 08, 2015 2:58 PM

To: CoastalODSVRAcomments; Buhr, Justin@Coastal

Attachments: Untitled (70 B) ; PM10 Ebrochure.pdf (17 MB)

Dear Commissioners,

Below is a letter which I brought to the April 2014 Commission meeting and left with staff. I am hoping you received it then, if not here it is for the record.

Rachelle toti

April 9, 2014

California Coastal Commission Meeting
Santa Barbara, Ca.

Dear California Coastal Commissioners,

At the February meeting in Pismo Beach several speakers mentioned the health problems associated with the particulate matter PM 10 & 2.5 blowing into neighborhoods in Oceano and the Nipomo Mesa. To further expand your understanding of the issue, we are providing you the attached items.

- 1) San Luis Obispo County Air Pollution Control District South County Community Monitoring Project Brochure which was mailed to residents in 2013. It explains the reason for the study, describes the size of particulate matter, and shows which neighborhoods are in the highest exposure zones.
- 2) The April 8th daily email residents sign up to receive from the APCD giving the five day forecast. Notice the long paragraph of warnings for the elderly, children, infants and those with respiratory or heart conditions.
- 3) Page 2 of the 2009 State of the Air report by the American Lung Association which describes short and long term exposure risks and the health impacts of inhaling particulate matter.
- 4) The last page of the Phase 2 Study in which the author summarizes the most significant impact of OHV activity in contributing to high downwind PM levels on the Nipomo Mesa.

It is the Commission's responsibility to monitor the vehicle impacts from this park and act accordingly when problems arise. This letter is your formal notification from Concerned Citizens for Clean Air that vehicle activity the commission has sanctioned and permitted is causing a public nuisance and health hazard to residents of the south San Luis Obispo County. We expect you to take appropriate actions to

protect our health and better manage the vehicle impacts you have authorized under CDP #4-82-300 and its five amendments. Please contact us if you have further questions at email cca10@charter.net.

Sincerely,

Rachelle Toti and Arlene Versaw
Concerned Citizens for Clean Air

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Coastal Permit 4-82-300

Kathy Bolton [kbolton123@aol.com]

Sent: Sunday, February 08, 2015 4:34 PM

To: CoastalODSVRAcomments

To whom it may concern:

I do not live in the Oceano Dunes area, however I have been to the Dunes for recreation. I also am a manufacturer and sell to the vendors in Oceano and Pismo. I manufacture safety flags for the off road community.

I do know that the Dunes provide employment and income for many people in the area as well as out of the area. It seems unfair that the economy would be allowed to be effected so negatively by eliminating a beautiful recreational spot for families to visit. Reducing the size previously has a negative effect on the industry and all of the off roading enthusiasts would like to see it returned to the original size. Off roading is a sport enjoyed by many families and they do bring a positive money flow to the area.

We are therefore asking that the area be left as is or even better returned to previous acerage, so your beautiful beaches can be enjoyed by those who love coming there.

Respectfully,
Kathy Bolton, Owner
Visual Arts by GBS
15392-B Assembly Lane
Huntington Beach, Ca. 92649

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Buhr, Justin@Coastal

From: Harris, Will@DOC
Sent: Tuesday, February 10, 2015 11:00 AM
To: Glick, Ronnie@Parks; Buhr, Justin@Coastal
Cc: Marshall, Brent@Parks; Johnsson, Mark@Coastal; Dan.Carl@coastal.com; Koteen, Laurie@Coastal; Kahn, Kevin@Coastal; Conlin, Christopher@Parks; Tobias, Kathryn@Parks
Subject: RE: ODSVRA - Staff Geologist Memo

Ronnie and Justin,

I have five comments regarding the staff geologist memo, "Oceano Dunes State Vehicular Recreation Area (4-82-300)," which Ronnie forwarded to me last night:

1. Visiting the dunes. I am grateful to the author, Dr. Mark Johnsson, for stating in the memo that, "although I have visited ODSVRA on several occasions, I have seen only a small portion of the site and did not visit it with questions of air quality foremost in mind." I urge Dr. Johnsson to see the park at his earliest convenience (ideally, before the Coastal Commission meeting this coming Wednesday). I also urge him to visit the park in the afternoon on a spring day in March or April when the wind is up. The experience will be enlightening as he will be able to see dune formation and migration in real time, though the experience is not physically pleasant.
2. Misinterpretation of dune layers. I am also grateful to Dr. Johnsson for pointing out that the SLO APCD's initial Phase 2 study presented evidence of a perceived crust that was "at best anecdotal," as I did in a February 2 email to Dr. Koteen, author of Exhibit 15. Yet he proceeds to conjecture about the existence of crusts at Oceano Dunes though he admits he has no "first-hand knowledge of the distribution of any crusts at ODSRVA." Inexplicably, Dr. Johnsson presents mechanisms for crust formation, such as "efflorescent crusts," which are formed in an evaporative environment, such as a desert playa, and discusses the possibility that the dunes are coated with salt from the ocean, as if the sand is rolled out first to create the dunes and then the dunes receive a finishing coat of salt and that is the end of it. This incorrectly implies the dunes are static rather than dynamic and denies that dunes receive tons of sand blown in from the ocean every year, especially in the spring when the strong prevailing winds blow from over the ocean, out of the west-northwest. If, as Dr. Johnsson admits, he has no firsthand knowledge of crusts at Oceano Dunes and concedes that what was presented in the Phase 2 report regarding crusts was "at best anecdotal," there is no point to, nor basis for, his conjecture. It is misleading and reads as if a crust is present. I request that the second to last paragraph on page 3 of Dr. Johnsson's memo which regards this subject be rescinded.
3. Dune layers. In the last paragraph on page 3 of Dr. Johnsson's memo he discusses dune layers, or laminae. However, rather than contrast this existing feature of the dunes with the idea of crusts, Dr. Johnson conflates dune layering with the idea of a crust (Please note here that photographic evidence of dune layering in general and at Oceano Dunes is presented in several California Geological Survey references Dr. Johnsson cites as having reviewed). Further, he conjectures that the topmost layer of a dune is winnowed of fines, creating an "armor" layer, where coarse sand grains protect finer material underneath. This is an exceedingly unfortunate error--a very damaging and incorrect bit of conjecture. If this idea of an "armor layer" stands, then laypeople will make the incorrect correlation with desert pavement. Desert pavement is a wind-winnowing of fines on a flat desert ground surface. As the fines winnow away, pebbles and larger stones are left behind, leaving a hardened though thin surface of rocks. Many lay people are aware of this desert feature and are aware of how deserts with this feature have been marred in the past by military tank exercises. The text of Dr. Johnsson's memo can be easily construed to mean there is a similar surface at Oceano Dunes, which would be egregiously incorrect. Were Dr. Johnsson to visit the dunes when the wind is up, he would see sand ripples on the windward, or stoss, side of the dunes moving over the dune surface. The moving sand ripples is a process called "creep" and occurs along with sand grain saltation in an environment where dunes form and migrate. The sand ripples represent a dune surface of deposition; the ripples, as they move in the direction of the wind, form layer upon layer of sorted sand--coarse over fine, coarse over fine, repeatedly. It is not a static surface nor a surface of erosion. Further, the sand ripples are seen on all the dunes of the park, including the highest dunes. Additionally, dune layers are ephemeral--they form and obliterate with shifting winds. If the topmost layer is disturbed by an animal, a pedestrian, or a vehicle, it will form again as soon as the wind blows hard enough to cause saltation and creep, as soon as it blows hard

enough to form sand ripples. As I mentioned in my email to Dr. Koteen, I have been working in the dunes since 2008 and have yet to see a crust (nor have the State Parks biologists Dr. Johnsson spoke with), and I have never seen an "armor" in the dunes as conjectured by Dr. Johnsson.

Lacking evidence of winnowing and "armor" mentioned by Dr. Johnsson, it is irresponsible to present this concept as if it exists at Oceano Dunes, or anywhere is a similar coastal dune system. I request that the last paragraph on page 3 of the memo be rescinded. To not do so would be detrimental to the public's and the Commission's understanding of the dune system.

4. Lack of correlation between OHV use and PM10 emissions. It is appreciably noted that Dr. Johnsson acknowledges that in the SLOAPCD Phase 2 report, "data are too sparse and were processed inappropriately to be able to establish a significant correlation between intensity of [off-highway vehicle] use and PM10 emissions." If Dr. Koteen, in her revised exhibit 15 (I have yet to see her revised document) still holds the opposite position, I suggest the two professors meet to discuss the matter and resolve what may be a confusing discrepancy between exhibits.

5. Vegetation analysis. The memo does not mention the vegetation analysis performed by the California Geological Survey, though the document which presented the analysis is listed as reference number 5 in the memo. That analysis shows that within the Oceano Dunes SVRA boundary, there are 650+ more acres of vegetation covering dune sand in 2010 than there were in 1930's, which predates modern sand dune vehicular recreation. Additionally, within the north and south bounds of the vehicle riding area of the SVRA, there are nearly 200 acres of additional dune-covering vegetation in 2010 when compared to the 1930's. It would be appreciated if this analysis was considered in Dr. Johnsson's memo. It is the only analysis which quantifies dune vegetation acreage in the totality of the park and documents changes in that acreage over time. As the Phase 2 report obviously observed, if sand is covered by vegetation then sand saltation is limited. In that, the analysis shows to great effect how Parks has appreciably decreased the amount of open sand in the dunes, which in turn has appreciably decreased sand saltation in the dunes, something not acknowledged by the SLOAPCD or in the Coastal Commission staff report. Again, I would appreciate a discussion of this analysis in the memo.

Thank you for the consideration of my comments.

Will

Will J. Harris
Senior Engineering Geologist
California Geological Survey
801 "K" Street, 13th floor
Sacramento, CA 95814
(916) 445-0818

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From: Glick, Ronnie@Parks
Sent: Monday, February 09, 2015 5:38 PM
To: Harris, Will@DOC
Subject: FW: ODSVRA - Staff Geologist Memo

From: Buhr, Justin@Coastal
Sent: Monday, February 09, 2015 5:24 PM
To: Marshall, Brent@Parks; Glick, Ronnie@Parks
Cc: Kahn, Kevin@Coastal; Carl, Dan@Coastal; Johnsson, Mark@Coastal
Subject: ODSVRA - Staff Geologist Memo

Brent and Ronnie,

Attached please find a memo prepared by our staff geologist Dr. Mark Johnsson. Through an addendum to the staff report, this memo will be added as Exhibit 16. Please contact me if you have any questions or comments.

Thank you,

Justin

Justin Buhr

California Coastal Commission

725 Front Street, Suite 300

Santa Cruz, CA 95060

P: (831) 427-4863

F: (831) 427-4877

justin.buhr@coastal.ca.gov

www.coastal.ca.gov

Reference Coastal Permit #4-82-300

Chris Beecroft [cv70_00@hotmail.com]

Sent: Sunday, February 08, 2015 4:39 PM

To: CoastalODSVRAcomments

To Whom it my concern..

My name is Chris Beecroft.. I am the President of 4x4 In Motion.. A 4x4 Club located in the Central Valley of California..

I would really hate to see more restrictions placed on the Dunes at Oceano/Pismo.. We travel to the dunes a few times a year and really enjoy the times spent there.. We also spend a lot of money in and around the communities there to support the local business'..

We would also LOVE to see the whole beach/dunes get restored/reopened to it's original size.. My family and I have a lot of great memories of the Devil's Slide area.. Before more then half of the beach/dunes were closed off in 1982..

So PLEASE no more restrictions.. PLEASE look into reopening the rest of the area..

Thank You very much for your time and your efforts...

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(no subject)

DGPENT@aol.com

Sent: Sunday, February 08, 2015 4:40 PM

To: CoastalODSVRAcomments

Please vote to close the Oceano Dunes beach riding area to off road vehicles. The sand and dust they kick up blows into our neighborhoods and coats our property with layers of dust. This dust enters our lungs and causes several different illnesses. These off roaders should go out to the desert to ride where it would not affect anyone.

Dennis Peters
699 Avocet Way
Arroyo Grande, Ca. 93420

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Combining/Eliminating Islands to retain riding area balance

rachelle toti [rachelletoti@gmail.com]

Sent: Sunday, February 08, 2015 5:56 PM**To:** CoastalODSVRAcomments; Buhr, Justin@Coastal**Attachments:** Veg islands map.JPG (278 KB) ; Vegetated Islands Report ~1.pdf (7 MB)

Dear Commissioners,

In a previous email I pointed out that the OHV park management had looked for ways to combine or eliminate vegetation islands.

Attached is the 2007 Vegetation Islands report, please read pages 10, 11, and 12 starting at 2. "Options for Combining/Eliminating Islands to Retain Riding Area Balance". Also attached is a map which identifies the islands described. Under each "complex" various islands are discussed for elimination. Further, if islands are considered for revegetation or combination, the wording " would require opening an equally sized ride area within one of the other vegetation island complexes" is the last sentence. I am not sure whose "requirement" that is.

Opening a vegetated island to riding, conflicts with the CDP 4-82-300-A2 "Vegetated dune areas, whether they are fenced or unfenced, are strictly off-limits to all vehicles." and Special Condition 4 which requires the dune restoration program to help restore dune vegetation within the fenced off areas that had been degraded over time. Further, to suggest that it is ok to open a vegetated dune area to riding, (which has been shown to result in the destruction of that vegetation), in order to "retain riding area balance" indicates a preference for riding area over wildlife habitat and ESHA. Under Coastal Act provision 30240 sensitive habitat areas are to be protected from significant disruption and only uses dependent on those resources shall be allowed.

It is time for the Coastal Commission to set forth alternative management strategies and priorities to protect the coastal resources in the ODSVRA.

Rachelle Toti

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MP-4

MM-1

PH-2 MOY MELL

PAVILION HILL

WORM VALLEY

BBQ FLATS

MP-5 BBQ FLATS SOUTH

MP-6 HEATHER

ACACIA C-3

COTTONWOOD

EUCALYPTUS NORTH

IM-1 IM-2

MP-7 EUCALYPTUS TREE INDIAN MIDDEN SOUTH

EUCALYPTUS SOUTH BOYSCOUT NORTH

7.5 Reveg

7.5 REVEG

TABLETOP

Willow

Willow

Willow

BSC-2

BSC-3

BOYSCOUT CAMP

BSC-1

FA-3 FA-4

FA-2 FA-7 FA-8

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Oceano Dunes SVRA permit

Gerard F [torinoscj429@yahoo.com]

Sent: Sunday, February 08, 2015 7:40 PM

To: CoastalODSVRAcomments

Dear CCC

The Oceano Dunes SVRA is the only place in California where anyone can ride the dunes in the summer, and it is the closest place for people in the middle of California to ride.

People who live downwind of the sand will get dust no matter if there are dune buggies on the sand or not. I lived in Orcutt for years, and it was dusty there, even though we weren't downwind of the SVRA.

I suggest you set up dust collectors at all areas up and down the coast, 2 miles inland, and see what you get. I'm sure that the closed areas at Guadalupe are just as dusty.

You need to look at this latest attempt to close the dunes for what it is: An attempt by people who don't like off-roading to eliminate a type of recreation they don't like. But, you must take into account the public's need for recreation. Look at how few people use the closed area at Oso Flaco, and the closed area at Guadalupe. Nobody goes there. People don't want to hike in sand.

Please keep in mind what the PUBLIC wants. You can determine for yourself what the public wants by looking at attendance records.

Thank you,

Gerard Forgnone
23335 Barona Mesa Rd.
Ramona, CA 92065

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VEHICLE IMPACTS RELATED TO OCEANO DUNES SVRA

Paul Garratt [paul.garratt@gmail.com]

Sent: Sunday, February 08, 2015 9:18 PM

To: CoastalODSVRAcomments

To: California Coastal Commission Members

I have previously signed a group letter to you regarding the air quality impacts from the ODSVRA which you will consider on Feb. 11 in Pismo Beach. I know of senior citizens with lung issues who recently have had to move from the Nipomo mesa because of excessive ODSVRA dune dust generated by off road vehicles.

This email concerns two issues I have with the ODSVRA which have not yet been addressed by the Commission.

1. "Are You Crazy?"

This is the uniform response I get from local residents and government officials when I ask them whether they have ever walked the 6 mile sandy beach shoreline from the Pismo State Beach-W. Grand Avenue entrance to ODSVRA south to Oso Flaco State Park on a busy holiday weekend when off road vehicles are out in full force. I had that unfortunate experience when I first moved to the Central Coast in the summer of 2007.

It took only a short time before I discovered why I was one of the few people walking south from W. Grand Avenue along the shoreline on that 2007 Memorial Day weekend. Two ATV'S with what looked like 13 year old riders sped by me going about 70 MPH in the shoreline and hit a dog on leash walking ahead of me. They did not stop for assistance and continued on their way whooping it up. The annual "Huckfest" pickup truck gathering at ODSVRA draws thousands of riders who boast in the local press that they surpass 100 MPH driving in the ODSVRA. You literally take your life in your hands if you try to walk along that 6 mile sandy beach shoreline on a busy weekend. Thus the typical local response: "Are you crazy?"

Question to Commission: How come Californian's can safely walk in the shoreline behind multi-million dollar Hollywood celebrity homes in Malibu but CAN'T safely walk in the shoreline between Pismo State Beach and Oso Flaco State Park on a busy holiday weekend?

RECOMMENDATION: I urge the Commission and staff to walk that route on a busy holiday weekend and come to your own conclusions - just don't walk a dog on leash!

If you go to the Google Maps satellite image of that section of beach, you will find clusters of RV's, pickups and ATV's in circles in what looks like wild west wagon train formations. What you don't see is anyone walking along the shoreline. Coastal access is, in reality, DENIED on those 6 miles of beautiful sandy beach for the average Californian out for a coastal hike due to real - not imagined - safety concerns.

2. Off Road Vehicle Casualty Numbers at the ODSVRA

I have a friend that is an Emergency Room doctor at the closest hospital that serves the ODSVRA. He tells me there are regular deaths and numerous gruesome injuries (including amputations) on holiday weekends at the ODSVRA caused by off road riders - yet they never get reported in the local press.

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I can recall the 19 year old paramedic who was responding to a call at the ODSVRA who was run over and killed on the dunes by an emergency response vehicle following him - this for an out-of-control ATV rider who got hurt. I also remember a 14 year old girl who was sunbathing in the dunes and run over by an out-of-control off road vehicle. I have heard from multiple sources that the ODSVRA has the highest unreported casualty rate in the State Parks system.

I know the ODSVRA is the "cash cow" for State Parks but I find it disgraceful that they put the safety of the public and young teenage riders in jeopardy for the almighty dollar. I also find it outrageous that the Western snowy plover bird, California least tern bird and steelhead trout are better protected at the ODSVRA than your average California homosapian.

RECOMMENDATION: Have Commission staff survey local hospitals going back 10 years for documented deaths and amputations caused by ATV activity at the ODSVRA and compare it to the rest of the State Parks system. If as I suspect the ODSVRA has high casualty numbers, set limits on what should be acceptable. If they exceed a set limit, the Commission has the power to ultimately shut down portions of the ODSVRA for off road vehicle use in addition to the very valid reason of regularly exceeding State and Federal air quality standards.

Paul Garratt
Nipomo

Sent from my iPad

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air quality downwind of the ODSVRA

Paul Stolpman [stolpman@hotmail.com]

Sent: Sunday, February 08, 2015 10:31 PM

To: CoastalODSVRAcomments

My name is Paul Stolpman. I live on the Nipomo Mesa, downwind of the ODSVRA. I wanted to take this opportunity to point out a unique feature of the health risk posed by the PM10 coming off the ODSVRA. The January 27th letter from SLO's Air Pollution Control Officer points out the number of days when the Federal and State health standards for PM10 and PM2.5 are violated on the Mesa. I have been concerned for some time that relying exclusively on 24 hour data seriously understates the severity of the health problem we face on the Mesa. All of the health research points to the fact that short term exposures to high levels of fine particulate pose significant health risks. Reporting only 24 hour averages, as Mr. Allen has in his letter, can "hide" serious short-term exposures that pose a real risk of adverse health effects, especially when these short-term peaks occur during the hours of the day when susceptible individuals, especially among the young and the old, are outside enjoying the active lifestyle so prevalent on the Central Coast.

I will give you one example to demonstrate my concern.

On March 4th of 2014 the 24 hour PM10 reading on the Mesa was 44.3 ug/m3 (the State standard is 50 and the Federal standard is 150 ug/m3 averaged over 24 hours). As you can see, that 24 hour reading would not be considered a violation of either the State or the Federal health standard for PM10.

However, from 1:00 PM to 6 PM on the day, the hourly PM10 levels never dropped below 80 ug/m3 with five hourly readings on the day from 1 PM to 6 PM being 88, 122, 227, 149, and 85. So, on a day registered as "clean", and during the hours of the days when many of us would have been outdoors playing golf or tennis, or riding a bike, or playing tag in the school yard, we were exposed, for five straight hours, to very high levels of PM10.

I bring this issue of high hourly exposure during daytime hours to your attention only to emphasize that as bad as the data cited by Mr. Allen makes our air quality look, it is actually much worse. If you take a look at the hourly data on those many days when we actually violate the Federal or State health standards, you will find some of the worst air quality in California. This is a problem that needs to be addressed to protect the health of the citizens of the Mesa and I hope that you will require the State to take those measures that can bring these pollution levels under control.

Thank you.

Paul Stolpman
stolpman@hotmail.com

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Pollution from Particles on Mesa

Tim Demma [sdemma@earthlink.net]

Sent: Sunday, February 08, 2015 10:32 PM

To: CoastalODSVRAcomments

COASTAL COMMISSION

WE IMPLORE THE COASTAL COMMISSION TO TAKE 3 STEPS WHICH WILL VASTLY IMPROVE THE PARTICULATE SITUATION ON THE AREA WHERE WE LIVE ON THE MESA.

1. RESTORE FORE DUNES WITH VEGETATION.
2. MOVE FENCE ON THE LA GRANDE TRACT AND THE DUNES CONSEQUENTLY COULD SELF-RESTORE AND HOLD DOWN THE PARTICLE POLLUTION.
3. KEEP FENCING 100 FEET FROM THE VEGETATION.

THANK YOU FOR YOUR CONSIDERATION,
TIM & SUSAN DEMMA

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Oceano Dunes

Tyler Argentieri [tylerargentieri22@hotmail.com]

Sent: Monday, February 09, 2015 1:46 PM

To: CoastalODSVRAcomments

Hello, my name is Tyler Argentieri , a 22 year old member of the United States Air Force and an off-road enthusiast . I grew up in Santa Maria , CA and spent my childhood frequently visiting the Oceano Dunes . The Oceano dunes is without a doubt my favorite place on earth, and anyone who knows me will testify to that . Personally, the dunes is more than a place to just go blow off some steam and hang out . The Oceano dunes is a place of memories and family bonding that spans my entire life . My father and uncle started bringing me to the dunes when I was less than a year old . We used to participate in the sand drags , when they were still being ran by the Gold Coast Off-road club , and continued to go to the dunes after they were no longer being held . I am currently stationed at Schriever Air Force Base in Colorado Springs , CO and spend the majority of my military leave planning on coming home to California and visiting the Oceano dunes . Recently reading the current strategies purposed by the Sierra Club ,to combat the population decline of the Snowy Plover , have caused me great concern . I believe that a continuation of a species is of utmost importance , however I believe we need to be rational about the effects of closures and limitations . The Oceano Dunes is a vital/essential part of the coastal economy, and honestly if it were not , I believe it would already be shut down . I want the Sierra Club to consider the people their further closes could impact . Guadalupe beach and large portions of Vandenberg AFB are already being closed to human access due to the snowy plover . How much more beautiful coastline needs to be taken away from the people who enjoy it . I believe the Sierra club will not be satisfied until our entire off-road park is closed . The Oceano Dunes is the only beach that is accessible to off-road vehicles in California. Taking the opportunity away from people and future generations to experience the joys of the Oceano Dunes is not something that is acceptable. I can't imagine not being able to take my children to my favorite place because it is no longer accessible. I can't imagine not being able to share the tranquil experience of driving down the shore while the ocean waves crash in the background . I can't imagine not being able to take my son to comp hill and show him where I learned to drive and had my first kiss . The memories I've made at the dunes will stay with me for the remainder of my life . If the dune closures/limitations continue I fear eventually the Oceano dunes will be nothing more than a memory . We need to stop the Sierra club from taking advantage of their current power . If this doesn't happen then there will be many people and businesses that will be devastated . I hope more dune lovers get to voice their concerns and they do not fall on deaf ears .

Sent from my iPhone

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Coastal Permit # 4-82-300

Robert Dee [dt900653@msn.com]

Sent: Monday, February 09, 2015 2:20 PM

To: CoastalODSVRAcomments

Coastal Permit # 4-82-300

To whom it may concern,

My family and I have been going to Oceano Dunes SVRA since before I could drive. My first camping trip with my wife was to the dunes. When I bought my first car in high school, the first trip I took it on was to Pismo. I have gone wheeling there with my grandma, mother, friends, brother, and with my boy scout troop throughout the years, so one can see the dunes have been a significant part of my life. And over those years I have seen the number of people attending the park going up and the amount of land available for use decreasing. This is unacceptable, and furthermore any additional regulations limiting dune use to the public and our families is equally unacceptable.

Any prohibitions on camping areas (especially the best spots near fencing and the restrooms) would drastically increase the already overcrowded beach

The further closing of any riding areas will only increase the number of vehicle accidents as we are pushed into smaller and smaller areas

By eliminating night time recreation one is destroying part of the unique experience that makes Pismo beach what it is

Closing one of the already over taxed vehicle entrances is just a bad idea. On busy weekends the line to enter the park on either entrance already rivals some of Disneyland's longest lines.

The dunes are one of if the most visited state parks, and have been enjoyed by the 4 wheeling community for generations. The biggest threat to the dunes is not the people who visit, use, and enjoy the public lands but those who wish to "protect" the environment by over regulating and restricting public access to public lands!

In fact to provide a safer and more enjoyable park for the public, more land needs to be provided for vehicular use.

Sincerely
Robert Dee
255 Gomes Ct #1
Campbell, CA 95008

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Please stop the pollution

Karen Steves [karensteves@yahoo.com]

Sent: Monday, February 09, 2015 4:40 PM

To: CoastalODSVRAcomments

Dear Coastal Commissioners,

I am one of the South County residents who is concerned about the huge dust plume of particulate matter (PM 10 and 2.5) coming from the OHV park. We believe you are aware of the health impacts from PM 10 and 2.5 exposure, which include worsening asthma, COPD, and bronchitis, irregular heartbeat, up to and including heart attack, stroke and pre-mature death. Many of us are retirees who moved to the Central Coast for the clean air. Many of us have health problems that could be exacerbated by this exposure. Others have a concern for our friends and neighbors who are affected.

During the annual review process you will be considering vehicle impacts related to the operation of the Oceano Dunes SVRA. The most detrimental impact is explained in the Jan. 27th letter from Larry Allen to the Coastal Commission staff. By denuding and disturbing the natural crust on the La Grande Tract, the OHV park management has created a health hazard. According to the American Lung Association, even short-term exposure can be deadly. <http://www.stateoftheair.org/2014/health-risks/health-risks-particle.html#shortterm>

We are asking you to consider the health and welfare of seniors, children and all others living in the plume when you evaluate the management practices. Vehicle impacts are the direct cause of the air pollution problem. There is a relatively simple solution: re-establish the fore dunes and expand and increase the number of vegetation islands. This would help provide habitat for the wildlife as well.

We understand that this must be done in coordination with the County of San Luis Obispo and park management. We urge you to do whatever is within your scope of authority to alleviate the problem as soon as possible. We are facing another year of little rainfall and thus the potential for 80-plus days of exceedances, similar to those in 2014.

Thank you for your time and consideration in this matter.

Sincerely,

Karen Steves

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Are cars on the beach an economic anchor or a ball and chain?

landandclam@gmail.com on behalf of Nell Langford [drnell@thegrid.net]

Sent: Monday, February 09, 2015 4:49 PM

To: CoastalODSVRAcomments

Attachments: Evelyn Delany article for ~1.pdf (2 MB)

See my attached article "Oceano Dunes Without Tears".

My comment is: Vehicles on the beach are not good for business.

Thank you,

Evelyn Delany
Seacliff Drive
Pismo Beach, Ca 93449
805 773 1389

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Oceano Dunes Without Tears

Are cars on the beach an economic anchor or a ball & chain?

By George DeLeon

Getting over all the news that says the single most important economic worry about the economy is the contraction of private sector from a "bubble" burst in the real estate market is a relief.

But we cannot ignore the fact that the economy is still in a state of recession. The unemployment rate is still high, and the recovery is slow. We need to find ways to stimulate the economy and create jobs.

Construction on roads and TV led to the economic recovery. About 100,000 jobs were created in the construction industry. This shows that infrastructure spending can be a powerful tool for economic recovery.

The construction industry is a key sector for economic growth. It provides jobs and stimulates demand for other goods and services. We should continue to invest in infrastructure to support long-term economic growth.

While the construction industry is important, we also need to focus on other sectors that can create jobs and drive economic growth. This includes investing in education, research and development, and supporting small businesses.



Some people believe that cars on the beach are an economic anchor. They argue that the tourism industry, which is heavily dependent on beach activities, would suffer if cars were banned. This could lead to a loss of jobs and revenue for local businesses.

Others believe that cars on the beach are a ball and chain. They argue that the presence of cars causes traffic congestion, noise, and pollution, which can detract from the natural beauty of the beach. This can lead to a decline in tourism and a loss of jobs.

The issue of cars on the beach is a complex one that requires a balanced approach. We need to find ways to support the local economy while also protecting the natural environment and ensuring that the beach remains a place where everyone can enjoy.

Oceano Dunes

Beach is every body's but everyone has their own idea of what it should be. Some people want a quiet, peaceful beach with no cars, while others want a busy, bustling beach with lots of cars and people. The challenge is to find a balance that works for everyone.

One solution is to create different zones on the beach. For example, there could be a "quiet zone" where cars are banned, and a "busy zone" where cars are allowed. This way, people can enjoy the beach in their own way.

Another solution is to invest in public transportation. This would reduce the number of cars on the beach and make it easier for people to get to the beach. This could be a win-win solution for everyone.

Ultimately, the decision about cars on the beach should be based on the needs of the community. We should listen to the voices of the people who live and work in the area and make a decision that is in the best interests of everyone.

It is important to remember that the beach is a public resource that belongs to everyone. We have a responsibility to protect it and ensure that it remains a place where everyone can enjoy for years to come.

George DeLeon is a member of the Oceano Dunes Community Committee. He has been involved in the community for many years and is passionate about protecting the natural environment.

Handwritten notes:
 Council Construction Committee
 July 1, 2015
 George DeLeon
 Oceano Dunes Community Committee

Buhr, Justin@Coastal

Subject: FW: aerial photos of Oceano Dunes SVRA
Attachments: Zeldin Coachella SoilSement.pdf

From: Harris, Will@DOC
Sent: Monday, February 02, 2015 2:20 PM
To: Koteen, Laurie@Coastal
Cc: Marshall, Brent@Parks; Conlin, Christopher@Parks; Carl, Dan@Coastal; Peter, Ellen M. @ARB; Glick, Ronnie@Parks; Buhr, Justin@Coastal; Dixon, John@Coastal; Tobias, Kathryn@Parks
Subject: RE: aerial photos of Oceano Dunes SVRA

Laurie,

Thank you for the phone conversation this morning. I called you after reviewing your Exhibit 15, attached to the California Coastal Commission staff report "W14a" regarding Coastal Permit 4-82-400 for the Oceano Dunes State Vehicular Recreation Area (Oceano Dunes SVRA) in San Luis Obispo County. Oceano Dunes SVRA is managed by the Off-Highway Motor Vehicle Recreation Division (Division) of the California Department of Parks and Recreation (California State Parks).

You had requested a document I mentioned in our conversation, one prepared by Mel Zeldin, who has been retained by the San Luis Obispo Air Pollution Control District (APCD) as an air quality expert. I have attached that report.

Mel has been tasked by the APCD to work with the Division as we prepare to implement measures for reducing sand saltation in the dunes. Two measures we are currently testing are wind fencing and strategically placed hay bales. The fencing and the hay bales sit above the sand dune surface, creating "roughness," which effectively reduces near surface wind speed, which in turn slows or stops sand saltation.

Mel suggested that we also use a product called "SoilSement." He based this suggesting on work he performed in 1993 in the Coachella Valley, California, which has sand dunes at the northwest end of the valley. I may be mistaken, but the impression he gave was that this material was applied to the sand dunes there and was effective at reducing saltation. At our request, he provided his 1993 report which documented the dust-reduction work. The text below is the abstract from his document.

Five separate demonstration tests were conducted. In the first experiment, chemical stabilizers were evaluated on unpaved roads by using upwind and downwind dust fall collectors for long-term (weekly) periods and using PM 10 samplers during intensive periods (one to two hours). Next, the effectiveness of chemical stabilizers was evaluated using a similar long-term approach at an inactive construction site. In the third case, drought tolerant vegetation was tested on a vacant lot by using upwind and downwind dust fall collectors. In the fourth case, a wind fence of novel design was constructed near a major paved road and compared with a similar surface treated with a chemical stabilizer and an untreated surface for a two-month period. As a fifth test, the long-term durability of several chemical stabilizers was evaluated by observing the surface characteristics of a number of test plots in a side-by-side comparison in a vacant lot

As indicated in the abstract, the chemical stabilizer was never applied to a dune surface. It was applied to vacant lots, construction sites, and dirt roads, sites near the middle of the Coachella Valley (one lot was located near the intersection of Dinah Shore Drive and Monterey, which is east of Palm Springs and north of Palm Desert and more than 10 miles from the dunes near the northwest end of the valley).

The geologic setting of the Coachella Valley is very different from Oceano Dunes and vacant lots and dirt roads are not the same as sand dunes. In our discussions, Mel disclosed that he has never been to Oceano Dunes, and so has never felt the full brunt of the spring prevailing winds which come from over the ocean, out of the west-northwest to create the dunes.

Despite these shortcomings, which have been pointed out to Mel, he has insisted that the Division cover "five to ten acres" of the dunes with SoilSement. The Division has not committed to that, or even to using the material in broad application, but is willing to consider using it on approximately 2.5 acres, provided all environmental and park management concerns are met. Additionally, those of us providing technical input to the Division remain skeptical of this particular use of the material because 1. The dune setting is very harsh and dynamic and so the durability of the material, its potential to be buried, and the aesthetic affect as it breaks up remain open questions. And 2. If you recall, I mentioned that wind fencing and hay bales stand above the dune surface, creating roughness that slows the near-surface wind, which in turn slows or stops sand saltation. Placing SoilSement on the dune surface does exactly the opposite—it decreases roughness, meaning wind will increase in speed, increasing the potential for sand saltation and burial of the material.

In your report, you advocate the possible use of this material on the dunes, citing a letter from Mel. I suggest your mention of this possible measure is premature since we don't even yet know if it is viable, among other concerns.

Finally, I'd like to address the two items we discussed in your report that are inaccurate and/or lack referencing. I feel it important to note here that in our conversation, you disclosed that you also have never been to the Oceano Dunes SVRA.

1. Vegetation analysis. As indicated in the email chain below, I provided you with a vegetation analysis I performed in 2011. You were interested in the aerial imagery displaying that analysis. I provided the images and provided my report which detailed the analysis so you would have context for the imagery. You indicated in your reply you would review the report. As I mentioned to you in our call, I prepared this analysis because the APCD's 2010 Phase 2 study claimed that there is less vegetation in the dunes now than there ever was. The APCD made this claim with no analysis, no documentation. My analysis shows that within the Oceano Dunes SVRA boundary, there are 650+ more acres of vegetation covering dune sand in 2010 than there were in 1930's, which predates modern sand dune vehicular recreation. Additionally, within the north and south bounds of the vehicle riding area of the SVRA, there are nearly 200 acres of additional dune-covering vegetation in 2010 when compared to the 1930's. This means that when California State Parks took over vehicular management of the SVRA in 1982, they appreciably decreased the amount of open sand in the dunes, appreciably decreasing sand saltation in the dunes, something not acknowledged by the APCD.

Unfortunately, though I emailed to you the aerial photo analysis you requested, along with document which explained the analysis, you did not reference or mention this work in your document.

2. Dune layers versus "crust." In your document, you go into some detail regarding "biological crusts" and the need to protect them. In our phone call, as indicated above, you mentioned that you have never been to Oceano Dunes, and so have never observed "crusts" of any kind in or near the park. Me neither. And unlike you, I have been working out there since 2008.

In my first email to you, I provided a link to documents prepared for Parks regarding the dust issue, thinking you might want to see these too for your report. The earliest document is my review of the APCD's Phase 2, where, among many other Phase 2 mistakes, I point out that dune layers, or laminae, have been misinterpreted as a crust. I provided photographic and geological evidence in my review. In my call to you, I mentioned how the misinterpretation was made and promulgated. It stems from an observation made by Tom Cahill, a UC Davis physics professor, air quality expert, and lead author of Appendix C in the APCD's Phase 2 report. Dr. Cahill

makes brief mention of the observation before discussing evaporitic salts in the high desert setting of Owens Valley. He states:

A second factor involves ephemeral soil crusts, a key factor at Owens and Mono Lake. Direct observations of the sand at Oso Flaco showed that such a crust existed, about ½ to 1 cm thick, capable of supporting itself over a few cm but friable under any pressure such as boots. Such crusts greatly suppress particle emission by gluing small particles into larger ones and suppressing saltation processes that can occur when the crust breaks up. There is almost no dust emitted into the air on Owens (dry) Lake, even in strong winds, until the robust salt crust formed every winter in rains breaks up.

Anyone geologically familiar with the two settings should recognize the stark difference between a high desert playa lake on which evaporitic salts form and a temperate coastal sand dune and so recognize the mistake in interpretation. Unfortunately, the Phase 2 authors repeated the text of this observation many times in the main report and repeated it in public presentations. This gave the impression that the interpretation was correct. I provide an alternative interpretation of which there is abundant evidence within the Oceano Dunes SVRA—that what is being observed is an exposure of a dune layer, that dunes are composed from top to bottom of ephemeral layers of sorted sand. You can read about this in more detail in my Phase 2 review document, found in the link I provided in my first email to you. It is unfortunate you did not review or reference this document since it was one of the first and most detailed critiques of the Phase 2 report.

It is more confusing to me that you mention “biological crusts,” since Cahill never used the term “biological” in his misinterpretation of dune layers. You go to great lengths discussing biological crusts but never provide any evidence of them at Oceano Dunes. In our conversation, you mentioned you had phone calls with “many people” who claimed there was a crust, yet there is no reference with whom you had those communications, let alone their qualifications. It is clear that your claim of biological crusts—or crusts of any kind—and the need to protect them is unfounded.

Given the above-detailed discrepancies and errors in your report, and that you are providing interpretation of an environmental setting you have never seen, I ask that you rescind your report as Exhibit 15 from the larger Coastal Commission staff report and ensure that there is no mention of your report in the main body of the staff report or the other attached exhibits.

Thank you,

Will

Will J. Harris
Senior Engineering Geologist
California Geological Survey
801 “K” Street, 13th floor
Sacramento, CA 95814
(916) 445-0818

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Oceano Dunes Without Tears

Are cars on the beach an economic anchor or a ball & chain?

By Evelyn Delany

Getting cars off the beach has been the single most important occurrence bringing about the economic transformation of Pismo Beach from a "honky tonk" town to the destination jewel that it is today.

When we moved to Pismo Beach in 1970, none of the motels were four-star rated, except for the Shore Cliff and the Sea Crest (which actually are a little outside of downtown). Tourist cabins, left over from the 30s or 40s, were rented by the month by people who couldn't afford an apartment. There were a few sit-down restaurants, but mostly the paper napkin variety.

Comedians on radio and TV and in the movies made jokes about Pismo Beach. I once told my friend Harry, a fellow easterner, that Pismo Beach reminded me of Ocean City, New Jersey. Harry responded that Ocean City was never that bad. It was kind of embarrassing to tell people you lived in Pismo Beach, so those of us who could tell people we lived in Shell Beach or Pismo Heights. Pismo Beach was the laughing stock of the county. Nice families went elsewhere.

The ramp to the beach was a wooden affair at the end of Ocean View Avenue. Vehicles were permitted south of the pier, but not to the north.

One year in the mid-1970s, storms ripped the coast, much like this year. The wooden ramp washed out to sea. The city got a grant and built a new ramp; this time, a hefty, engineered one of cement.

Another stormy year came along, and the new ramp gracefully floated into the ocean, as though God herself was sending a message.

There was no new grant money for another ramp, and the City did not have money for a new ramp without financial assistance from another entity. After much debate, vehicles on the beach were prohibited on the beach south to Grand Avenue.

If the Pismo Beach City Council and the business community thought that vehicles on the beach were an economic boon to Pismo Beach, they would have found money and a new ramp would have been built.

That was circa 1974. Over the next

"Accidents kill about 800 people a year..."



...and injure an estimated 136,700"

two years, Pismo Beach was transformed. In rapid succession, upscale hotels were built - the Sea Gypsy, the Sand Dollar, the Sea Venture, Shelter Cove Lodge, Pismo Lighthouse Suites and the Kon Tiki. The Shore replaced the obsolete cabins. Shore Cliff and the Seacrest expanded. Other older motels remodeled to keep up. The new hotels had restaurants with cloth napkins and expanded menus. We got

a Marie Callendar's. Souvenirs became a little more classy.

All of a sudden, Pismo Beach was a destination resort. People came to walk on the beautiful beach. It was quiet. It was safe for dogs, children and granny. People came and spent money. People who had money to spend came.

That is not to say that ordinary folks were excluded. The city built a beach

parking lot for day users. The older motels still accommodate people who aren't big spenders. RV campground: at the south end of the city and the state park accommodate people who prefer more rustic accommodations. We even have a Motel 6 in the city limits. There are still restaurants that don't cost an arm and a leg. Pismo

continued on page

Oceano Dunes

continued from page 7

Beach is now a resort that everyone can enjoy.

Those who want to drive their vehicles on the beach must enter from Grover Beach or Oceano "pass through" areas. If vehicles on the beach were an economic asset to a community, why hasn't a Pismo style boom hit Oceano or Grover? The answer is simple: This is not an economic asset.

Let's look at those who drive motorcycles and ATVs on the beach. Most of them don't live here. They come in their rigs and sleep in them or on the beach. They don't sleep in motels. If they did, there would be motels in Grover Beach and Oceano for them to use. They bring their own food and cook it on the beach or in their RVs. I've seen some of them eating a celebratory meal in the IHOP on Grand Avenue as a last stop before they leave town.

But the IHOP closed a month ago. Businesses open on Grand Avenue based on the expectation that some of the thousands of people who drive down it each day will stop in and buy something, but the failure rate of Grand Avenue businesses is an

embarrassment. KFC is gone, as are other restaurants too numerous to list. Even beer bars come and go.

Businesses on Pier Avenue, except the ATV rental places, suffer even more than those on Grand. Pier Avenue is little more than an on-ramp for the beach, with backed up traffic blocking driveways and cross streets. On weekends, there is constant noise and pollution.

They might buy gas on their way out of town for the trip home, or maybe not. Only pennies on the dollar spent for gas stays here for local government to use. They buy their RVs, ATVs, motorcycles, riding gear, food, gas, and other paraphernalia where they live, not here. They may be big spenders, but they don't spend big here.

Use your own common sense, and do not be fooled by the lobbying of the thrill-seeking ATV users from elsewhere. Vehicles on the beach are not good for business or the well being of the people who live here.

Evelyn Delany was SLO County District 3 Supervisor 1985-1997, County Planning Commissioner 1978-1984, Pismo Beach Planning Commissioner 1975-1978, and Pismo Beach Parks and Recreation Commissioner 1972-1974.

Coastal Commission Comments
 Evelyn Delany
 Former SLO County Dist 3 Supervisor
 Feb 8 - 2015

93-WA-75.02

**Evaluation of Fugitive Dust Control
Methods in the Coachella Valley**

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**AIR & WASTE MANAGEMENT
ASSOCIATION**

SINCE 1907

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ABSTRACT

In the Coachella Valley of California, a desert region east of the Los Angeles Basin, fugitive dust, caused by human activities and high-wind "blow-sand" events, is the primary source of PM₁₀. The objective of the study reported here was to evaluate reasonable methods which could be used to mitigate the generation of fugitive dust caused by human activities within the topographical and meteorological confines of the Coachella Valley.

The fate of sand blowing onto paved roads was investigated by measuring the size distribution and then depositing a measured amount on a paved roadway for several hours. The remaining material was then collected and the size distribution remeasured to determine if particles could be fragmented into smaller particles by traffic. The size distribution was shifted slightly to the largest particle from this exposure.

Five separate demonstration tests were conducted. In the first experiment, chemical stabilizers were evaluated on unpaved roads by using upwind and downwind dust fall collectors for long-term (weekly) periods and using PM₁₀ samplers during intensive periods (one to two hours). Next, the effectiveness of chemical stabilizers was evaluated using a similar long-term approach at an inactive construction site. In the third case, drought tolerant vegetation was tested on a vacant lot by using upwind and downwind dust fall collectors. In the fourth case, a wind fence of novel design was constructed near a major paved road and compared with a similar surface treated with a chemical stabilizer and an untreated surface for a two-month period. As a fifth test, the long-term durability of several chemical stabilizers was evaluated by observing the surface characteristics of a number of test plots in a side-by-side comparison in a vacant lot.

The chemical stabilizers, used as specified by the manufacturers, and the vegetation appeared to be effective in controlling emissions. The wind fence did not appear to be effective in preventing blow-sand from crossing the roadway. All of the stabilizers evaluated in the side-by-side comparison were found to give satisfactory performance for six months.

INTRODUCTION

The EPA has designated the Coachella Valley of California as a "serious" nonattainment area for PM₁₀. The Coachella Valley is a relatively sparsely populated inland desert valley of Southern California that includes the city of Palm Springs. The soil of the valley consists primarily of alluvial fill from the surrounding mountains and is generally quite sandy. The low levels of precipitation and extreme heat in the summer results in a limited amount of plant growth that could stabilize the top layer. The area is also subjected to seasonal high winds in the springtime. A state implementation plan (SIP) has been written that proposes to bring the region into compliance by 1995¹. Based on receptor modeling and the soil and weather conditions the PM₁₀ nonattainment was shown to be a result of fugitive dust and not transport from the urban Los Angeles area to the northwest. Mitigation methods have therefore been proposed in the SIP to control the dust emissions caused by the interaction of man and the environment and not control in the uninhabited desert regions. The design goal is to reduce the annual maximum 24-hour PM₁₀ concentration by 32 percent.

The EPA has developed guidelines² for controlling fugitive dust emissions. The effectiveness of these methods has not been well quantified or verified, particularly under the desert conditions encountered in the Coachella Valley. The methods proposed in the SIP include wind fences, chemical stabilizers, and vegetative covering. The objective of the study reported here was to determine the effectiveness and costs of these dust control methods when used to control dust emissions from vacant land and unpaved roads and to prevent deposition of windblown sand onto paved roads.

The chemical stabilizers were commercial formulations marketed for dust suppression. While the compositions varied and were proprietary, three basic types of stabilizers were included in the evaluations:

- o Organic polymers that bind the soil particles.
- o Petroleum or vegetable oils that form cohesive surfaces with soil.
- o Pulp and adhesive mixtures that form a crust on the soil surface.

In all cases these stabilizers were applied in a water mixture directly to the soil surface in accordance with the manufacturer's recommendations.

APPROACH

Blow-sand Fragmentation Study

A feasibility study was conducted to determine if blow-sand (sand deposited from high winds blowing across the surrounding desert) is further fragmented when exposed to traffic on a paved roadway. A sample of blow-sand from the Coachella Valley was sieved to determine the particle size distribution. After vacuuming a square meter of residential roadway, one hundred grams was then deposited in an area 10 cm x 60 cm at the leading edge of the square with the longer dimension perpendicular to traffic. The mass of blow-sand was chosen by evaluating various weights to determine an amount that would visibly remain within the square after several hours of traffic. After seven hours, the blow-sand was vacuumed and resieved. The number of vehicle passes was not counted but estimated at 50 per hour during the time of day of testing.

Two control experiments were conducted. In one, the blowand was vacuumed immediately after deposition to determine the recovery efficiency. In the other, no blowand was deposited in the square and the area was vacuumed after seven hours to determine the background concentration built up without a deposition.

Evaluation Measurement Methods

Most of the emission sources were in sparsely populated areas where electricity would be difficult to obtain and security costly to maintain. For these reasons dust fall collection jars were chosen as the primary means by which to measure dust deposition. Jars also provide an economical means to collect an integrated sample. This was important since a few wind events during any one sampling period could lead to major emissions. 1000 ml polystyrene jars were used (VWR catalog number 16129-414) that were 13 cm high with nearly straight sides. The jars were attached to metal stakes at approximately three feet above ground level. Jars were used both with and without a four-inch diameter PVC elbow fitted into the prevailing wind. The objective of the elbow was to disentrain blowing dust to avoid that would not otherwise deposit into the jar. The dust fall jars were typically left to collect sample for one to two weeks, after which they would be capped and returned to the laboratory. The mass of deposited material was then determined gravimetrically after rinsing it from the jar and drying in a tared beaker at 105°C.

Jars were generally located in pairs, one with and one without the elbow inlet. Such pairs were placed in both areas influenced by the mitigation method under study and in nearby "control" areas.

High-volume PM₁₀ samplers were also used to supplement the dust fall jars during special "traffic test" intensive periods during which electricity and supervision could be provided.

Mechanical wind speed and direction sensors were set up on ten meter towers at each of the study areas.

Evaluation Study Areas

Unpaved Roadways. Unpaved roadways are common in the Coachella Valley for both residential use in sparsely populated areas and for access in agricultural areas. One roadway of each type was selected for study. The residential area had a housing density of approximately one dwelling unit per five acres. The roadway received several hundred vehicle passes per day. The agricultural area was a grape vineyard. The residential road was studied over several months using dust fall jars, and both roadways were studied for two intensive periods using a combination of dust fall jars and high-volume PM₁₀ samplers.

During the intensive studies, a large amount of traffic was artificially generated in order to simulate days of use. This was done with a combination of trailers, station wagons and full-sized vans travelling between 30 and 40 miles per hour, at a rate of about 30 per hour.

On both of the unpaved roadways a chemical stabilizer was applied to the manufacturer's recommended rate of 480 gallons of product and 2100 gallons of water per acre. This stabilizer was recommended for control of dust from unpaved roadways. Approximately 250 foot sections of roadways were treated. Sampling equipment was set up on both the predominantly upwind and downwind sides of each roadway in the middle of the treated sections and on an untreated section several hundred feet away. Dust fall collectors without elbows were used for this study since the objective was to collect dust due to traffic on the unpaved roadway and not that due to blowing dust.

Inactive Construction Sites. The Coachella Valley is undergoing rapid commercial and residential development. In many cases the original desert soil which has developed a hard crust is graded, leaving a soft poorly compacted surface. In many instances this disturbed surface is allowed to sit vacant for months and even years before construction is started. The objective of this task was to determine how useful a chemical stabilizer would be to prevent dust emissions from this disturbed soil.

The site was a residential construction area in Cathedral City. The area had been roughly graded, pads for houses had not yet been formed, nor was the soil well compacted. A test area 30 meters wide by 80 meters long was sprayed with a stabilizer according to the manufacturer's specifications. The rate per acre was 3500 gallons water, 250 gallons of a chemical stabilizer, and 400 pounds of a paper fiber. One pair of dust fall jars (with and without elbows) were located in the downwind corner of the treated area while another pair were located in a nearby untreated area to serve as a control.

Vacant Residential Lots. The type of residential development typical in the Coachella Valley has resulted in areas with a few to many vacant lots interspersed between houses. The soil surfaces of these lots have often been disturbed, either by grading or other human activities. While regular treatment of the soil with chemical stabilizers may be effective, a longer term more cost effective (these lots often are vacant for many years) and perhaps more aesthetic solution may be to plant a drought tolerant vegetation that would restore the area, to some degree to its original, more resistant surface. While it would be necessary to water the young plants regularly, this may not be necessary as the plants mature. The objective of this study was to determine how use vegetation would be in reducing dust emissions.

Two similar side-by-side vacant lots in a residential development were selected in Cathedral City. The entire area was surrounded by a chain link fence to prevent vandalism and entry of undesirable predators (rabbits, rodents, etc.). For the lot designated as a control, most of the larger vegetation was removed. The vegetation of the remaining lot was supplemented with 80 one gallon specimens of the Four Wing Desert Salt Bush (*Atriplex canescens*). This was done on a grid of 8 by 10 at approximately 3 meter spacing. Drip irrigation was used to water the new vegetation with approximately 16 gallons per week. Dust fall jars with and without elbows were located in approximately the middle of each lot.

RESULTS

Blow sand Fragmentation Study

The blow sand was recovered with 99.0 ± 0.4 percent efficiency when deposited on a roadway but without being exposed to traffic. The mean percent of background after seven hours of traffic was 0.5 ± 0.1 grams. This was about 1 percent of the amount collected after exposing 100 grams of blow sand to traffic. Data were not corrected for the recovery efficiency or background.

Table I shows the results of exposing 100 grams to seven hours of residential traffic on a paved road. The percent of mass represents the mass that collected on the screen but would pass through the preceding larger screen. A total of four tests areas were used. Typical road speeds were 20-30 mph. The average amount of blow sand recovered was 32 percent. Particles less than 508 μ m diameter decreased in relation to the larger particles. Rather than showing fragmentation, it appears that smaller particles are being depleted more rapidly. Since only a third of the mass was recovered, it is possible that particles could have fragmented and then been preferentially removed.

Control of Fugitive Dust From Unpaved Roadways

Residential Roadway. The wind was shown to be primarily from the east-northeast during the study period with hourly averaged speeds almost always less than 10 mph. Nearly 30 percent of the time the wind was classified as calm (less than 1 mph) during the time of day most likely to receive traffic (0600-2100 hours). Due to the high percentage of calms during the long term study, it became difficult to differentiate the upwind from the downwind dust fall collectors.

Table II shows the results for the long-term collection periods for the dust fall jars. The mean amount collected from the treated section was five times lower than the untreated section. The amount collected downwind was consistently lower than the upwind counterpart. The data and visual inspection showed that there was no significant deterioration of the chemical stabilizer over the five-week study period.

Table III presents the PM_{10} data from the high-volume samplers placed downwind of the treated and untreated sections for the two intensive periods. These experiments were conducted under more controlled conditions with respect to traffic density and wind fields. The amount of traffic during each intensive period was similar to the daily traffic measured on the roadway. The data in Table III are also shown normalized to the number of vehicle passes, these units are in μ g/vehicle. The PM_{10} concentrations were approximately seven times higher for the untreated section of roadway. This is in good agreement with the results from the long term collection using dust fall jars.

Paved Roadways. Blowing sand is a natural phenomenon in parts of the Coschella Valley, especially from the wash areas. Deposition of this sand (often termed "blow sand") onto paved roadways may result in further entrainment and reduction in particle size due to tire abrasion. Minimizing this deposition may therefore lower the concentration of the PM_{10} . This reduction can be accomplished by chemical stabilizers or by construction of fences to reduce wind speed to the point where the blowing sand is deposited. The objective of this task was to determine the effectiveness of these two methods.

A major thoroughfare in Rancho Mirage was chosen as the study area. On each side of the road were several kilometers of relatively undisturbed desert. An 80 meter long double row wind fence was constructed approximately 100 feet upwind of the roadway. Figure 1 shows the design used. This design was based on snow fences used by the Wyoming State Highway Department. The six inch open area between the slats were designed to slow the wind sufficiently to drop out blow sand downwind of the fence and not at the fence itself. In this way the blow sand could be more easily removed. Another 80 meter long section of desert 30 meters wide was treated with a combination of chemical stabilizers and a pulp product. The amounts of products used were based on the manufacturer's recommendation and consisted of 3500 gallons of water, 165 gallons of chemical stabilizers and 1750 pounds of pulp per acre. Pairs of dust fall jars (with and without elbows) were set up downwind of the treated areas and a similar control area as shown in Figure 2. These collectors included two control locations, two downwind of the wind fence (on both sides of the roadway), and one downwind of the chemically treated area (on the far side of the roadway). Prior to collection of samples the roadway was cleaned by municipal sweeper.

Side-by-Side Comparison. Since there are a number of vendors of chemical soil stabilizers, a side-by-side comparison is useful to determine the relative durability of these products. This was not intended to be a comprehensive comparison study, therefore no measuring devices were used. Rather, the site was inspected twice a month and any deterioration was noted. Soil crust samples were also collected monthly for further examination.

A large vacant lot in Indio was used for this test. The soil appeared to be disturbed, most likely by annual weed control diskings. Each of seven vendors was asked to supply specifications for an application that would maintain dust control properties for a period of six months. The lot was divided into plots approximately 20 meters square; generally oriented with the prevailing wind would not transverse one plot onto another. The products were applied as specified by the manufacturers. The plots were not fenced and did receive some foot and bicycle traffic; we also added to the foot traffic on purpose during site visits since such traffic would be expected under normal use.

Agricultural Roadway. Table IV presents the data from the PM₁₀ and dust fall samplers for the two intensive periods. Except for PM₁₀ concentrations, the data are normalized per vehicle pass. The dust fall amounts for both upwind sites were similar. The dust fall downwind of the untreated section was over three times higher than the treated section. These results are consistent with the long term study conducted on the residential roadway.

The PM₁₀ results for the downwind samplers are presented as both concentrations and mass units per vehicle pass. The concentration of PM₁₀ at the untreated segment was over five times that of the treated segment. On a per vehicle pass basis, the amount of dust per vehicle was over eight times higher on the untreated segment. These results are again consistent with those from the residential roadway.

Control of Fugitive Dust From Inactive Construction Sites

The wind data from instruments located on site showed that the wind was predominantly from the expected west-northwest direction with almost no periods of calm (less than 1 mph). Hourly-averaged wind speeds were often greater than 13 mph; a significant number of hours were above 19 mph.

Table V presents the data from the dust fall jars. A high degree of variability was observed from period to period. In calculating the mean, we excluded the period starting May 29, 1991 since a major wind storm had overwhelmed the area with blowing dust. Inclusion of data from this period would severely skew the mean. Comparing the mean deposition for the control with the elbow to that of the treated area showed a six-fold reduction of deposition for the treated area with no significant change of efficiency with time. For the samplers without the elbows the reduction was just over fourfold. Similar results are obtained if the mean of the ratios are compared.

Control of Fugitive Dust From Vacant Residential Lots

By the end of six months only 27 of the 80 planned salt bushes remained. Burrowing animals and vandalism were the main cause of loss. The amount of vegetation was still much greater than the control due to the native growth that was left undisturbed. Table VI presents the results from six months of dust collection. The mean amount of deposit in both the jars with and without elbows was approximately twice as high in the control area. While there was a large amount of variability, these results support the usefulness of vegetation. It would be expected that the effectiveness in controlling dust emissions would increase substantially as the plants mature.

Blowand Deposition onto Paved Roadways

Wind data collected at the site verified the expected consistent north-northeast wind pattern. No periods of calm winds were observed; hourly-averaged wind speeds were usually above 13 mph. Table VII shows the results from the dust fall measurements. A high degree of variability was observed at all locations both with and without the elbow inlet. The dustfall jar with the inlet should be a better measure of the amount of blowing sand than the jar without this

inlet. The deposition for the week starting May 29, 1991 was again much higher than the other periods due to a major wind event and was therefore eliminated from the mean calculations. For the collectors with elbows, the mean amount deposited downwind of the fence (on the near side of the roadway) was over three times lower than the mean of the control collectors on the far side of the street. The collector on the far side of the roadway from the fence collected nearly as much as the control. On the other hand, the mean amount deposited across the street from the treated area was about half that of the mean of the control.

Side-by-Side Comparison of Chemical Stabilizer Durability

The surface hardness and toughness of the stabilizers did vary somewhat from product to product. However, after six months little or no significant deterioration was observed with any of the seven products used. It should be noted that there was no significant rainfall during this period (May through October). One of the pulp-based products did become somewhat fluffy, as stepping on it would produce puffs of dust, although the remaining surface appeared to stay crusty. One of the chemical-based stabilizers did become somewhat brittle.

CONCLUSIONS

We found no evidence of blowand particles being further fragmented to smaller sizes although the results could not rule out such a process. Chemical stabilizers were generally useful in controlling dust emissions from lots and unpaved roadways in the Coachella Valley. All of the stabilizers tested were found to be adequate for the duration of the tests. With the possible exception of an unpaved roadway single application at the beginning of the spring windy season should be sufficient. While the application costs for the stabilizers were similar, the products varied in cost by a factor of seven. Although it was beyond the scope of this study to compare the cost of product and efficiency, the typical cost of treating a ten-acre parcel would be approximately \$500 per acre.

Vegetation was also found to be effective in reducing dust emissions. While the initial costs would be at approximately twice that of chemical stabilization, the long term cost may be substantially less. It would be important to minimize vandalism and predator destruction.

The wind fence of the design tested here was not found to be very effective in preventing blowing sand from depositing on a roadway. Other wind fence designs should be evaluated. Wind fences would probably cost at least as much as chemically treatments but may potentially be more cost effective in the long term. Chemical stabilizer was effective in reducing the amount of blowand reaching the roadway.

ACKNOWLEDGEMENTS

We would like to thank the vendors of the chemical stabilizers who generously donated their products and supplied information. These include Wilson, Environmental Soil Systems Inc., Eco Polymers, Soil Seal Corporation, Soil Stabilization Products, Precision Hydro Seeding, and American Fiber. We would also thank the property owners who allowed us access to their property. These include Mr. Russel Strunk, Ms. Alma Omselich, Dr. Rod Tracey, (Interimtime Developers (thanks to Mr. Bob Crank), the University of California (thanks to Mr. Glen Kennedy), City of Rancho Mirage (thanks to Ms. Cathy Mizzen), City of Indio (thanks to Mr. Fred Diaz), and Cathedral City (thanks to Mr. Pat Russett).

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1. South Coast Air Quality Management District. State Implementation Plan for PM₁₀ in the Coachella Valley (1990).
2. U.S. Environmental Protection Agency. *Control of Open Fugitive Dust Sources*. EPA 450/3-88-008. Office of Air Quality Planning and Standards, Research Triangle Park, NC, 1988.
3. Tabler, R.D. *New Engineering Criteria for Snow Fence Systems*. Transportation Research, Washington DC, 506, 1974, pp 65-68.

Table I. Results of the blowsand fragmentation study.

Screen Size, μm (Open Length)	Mass Size Distribution Original (%)	Mean Mass Size Distribution After Exposure ^a (%)	Standard Deviation of Mass Size Distribution After Exposure (%)	Mean Mass Recovered (%)
508	32.4	42.8	2.5	42.2
203	48.6	43.1	1.5	28.9
104	12.9	9.7	1.6	23.4
61	5.5	4.1	0.6	21.8
28	0.6	0.4	0.3	12.5
<28	ND	ND		ND

ND not detected

^a Mean of four replicates

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Table II. Dustfall collection at the unpaved residential roadway (no elbows).

Start Date	Treated Upwind (mg/day)	Treated Downwind (mg/day)	Untreated Upwind (mg/day)	Untreated Downwind (mg/day)	Mean Treated (mg/day)	Mean Untreated (mg/day)	Maximum 1 hr Wind Average 0600-2100 hrs (mi/hr)	Direction of Maximum Wind (deg)
5/9/91	0.65	0.75	1.85	2.60	0.70	2.23	18.4	263
5/29/91	3.86	5.57	11.0	29.1	4.72	20.1	14.0	270
6/5/91	1.88	3.63	4.63	13.0	2.76	8.82	8.2	234
6/13/91	ND ^a	2.05	ND	4.80	2.05	4.80	12.2	227
Mean	2.13	3.00	5.83	12.4	2.56	8.99		
Std. Dev.	1.62	2.08	4.69	12.0	1.67	7.90		

^a No data

Table III. PM₁₀ data from intensive sampling at the residential roadway^b (µg/vehicle).

	Hi-Vol PM ₁₀ Treated Downwind		Hi-Vol Untreated Downwind	
	µg/m ³	µg/vehicle	µg/m ³	µg/vehicle
Period 1	251	199	1180	1000
Period 2	566	285	4100	2061
Both Periods	374	242	2275	1534

^b Assumes 177 vehicle passes during period 1 and 179 vehicle passes during period 2 for both treated and untreated segments.

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TABLE IV. Dustfall and PM₁₀ data from intensive sampling at the agricultural roadway (µg/vehicle)^c.

Interval	Dustfall Treated	Dustfall Untreated	Dustfall Treated	Downwind PM ₁₀		Dustfall Untreated	Downwind PM ₁₀	
	Upwind	Upwind	Downwind	µg/m ³	µg/vehicle	Downwind	µg/m ³	µg/vehicle
Morning	NS ^d	NS	9.9	1470	1019	386	10,100	7,000
Afternoon	NS	NS	152	590	747	481	3,440	8,400
All 210 min	56	77	72	952	899	428	5271	7614

^c Assumes 101 vehicle passes in the morning and 79 passes in the afternoon

^d Not sampled separately

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Table V. Dustfall and wind data from the inactive construction site.

Start Date	Untreated w/o Elbow mg/day	Untreated w Elbow mg/day	Treated w/o Elbow mg/day	Treated w Elbow mg/day	Max 1 hr Wind mi/hr	Max Wind Direction deg
5/10/91	3.47	--	0.63	--	23.0	243
5/21/91	N/A	--	--	192	24.3	287
5/29/91	77.0	108,274	824	122,480	29.2	280
6/5/91	6.87	1017	3.47	333	21.5	290
6/20/91	15.8	2522	1.00	244	24.2	307
6/27/91	1.17	46.3	1.33	6.00	21.5	285
Mean ^c	6.82	1195	1.61	194		
SD ^f	6.42	1247	1.27	138		

^c Excluding the week starting 5/29

^f Standard deviation

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Table VI. Dustfall data from the vacant residential lots.

Start Date	Non-Vegetated w/o Elbow (mg/day)	Non-Vegetated w Elbow (mg/day)	Vegetated w/o Elbow (mg/day)	Vegetated w Elbow (mg/day)
6/5/91	0.47	116	2.25	28.5
6/20/91	2.86	495	0.89	405
6/27/91	18.7	819	1.67	50.2
7/3/91	1.19	253	1.00	22.2
7/19/91	24.8	249	9.92	195
7/31/91	3.08	69.3	3.42	48.8
8/21/91	1.08	17.1	10.2	11.3
9/2/91	1.69	9.81	1.44	5.69
9/18/91	3.00	0.47	0.87	0.67
10/3/91	0.71	5.29	0.71	1.71
10/17/91	5.64	119	4.43	27.5
Mean	5.74	196	3.35	72.4
SD	8.16	256	3.52	123

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Table VII. Dustfall and wind data from the blowsand deposition study.

Start Date	Control (B-2) 1 w/o Elbow (mg/day)	Control (B-2) 1 w Elbow (mg/day)	Control (B-5) 2 w/o Elbow (mg/day)	Control (B-5) 2 w Elbow (mg/day)	Downwind of Fence (1) (B-1) w/o Elbow (mg/day)	Downwind of Fence (1) (B-1) w Elbow (mg/day)	Downwind of Fence (2) (B-3) w/o Elbow (mg/day)	Downwind of Fence (2) (B-3) w Elbow (mg/day)	Downwind of Stabilizer (B-4) w/o Elbow (mg/day)	Downwind of Stabilizer (B-4) w Elbow (mg/day)	Max Wind Speed (mph)	Max Wind Direction (deg)
5/9/91	3.20	--	14.0	--	1.25	--	30.3	--	1.80	--	32.1	344
5/21/91	--	223	--	1758	--	473	--	1129	--	657	30.5	342
5/29/91	14.29	9193	59.7	20,633	4.29	13,754	367	24,396	26.7	7529	31.1	339
6/5/91	38.50	91	3.63	64.4	4.50	11.9	3.13	45.9	3.13	46.4	ND	ND
6/13/91	1.43	61	1.57	44.7	0.53	13.0	2.00	70.4	1.43	38.3	23.0	317
6/20/91	5.86	1460	2.71	556	2.71	436	18.1	1353	3.14	742	30.2	333
6/27/91	50.8	73.2	2.83	1655	3.00	11.3	1.00	34.2	1.17	35.5	--	--
Mean ⁸	20.0	382	4.95	816	2.40	189	10.9	527	2.13	304		
SD	23.0	606	5.11	839	1.39	243	12.9	657	0.94	362		
Median	5.86	91	2.83	556	2.71	13.0	3.13	70.4	3.13	46.4		

⁸ Excluding the week starting 5/29

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93-WA-35.02

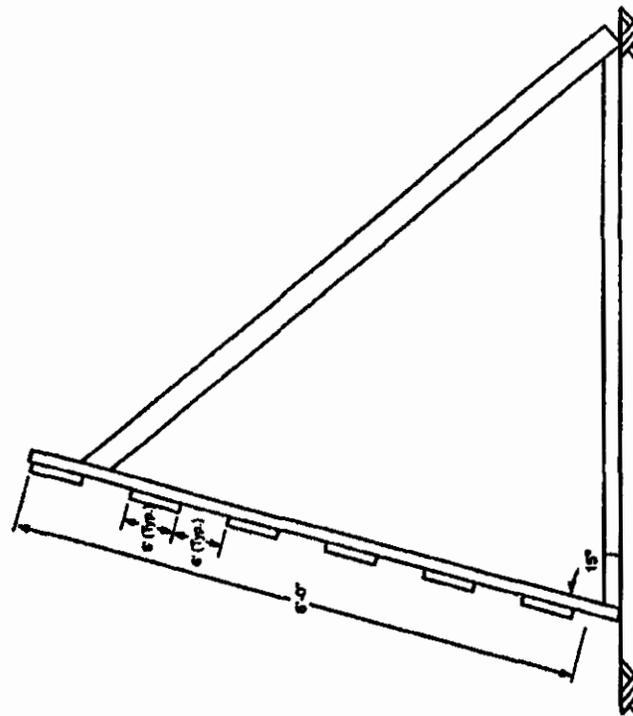
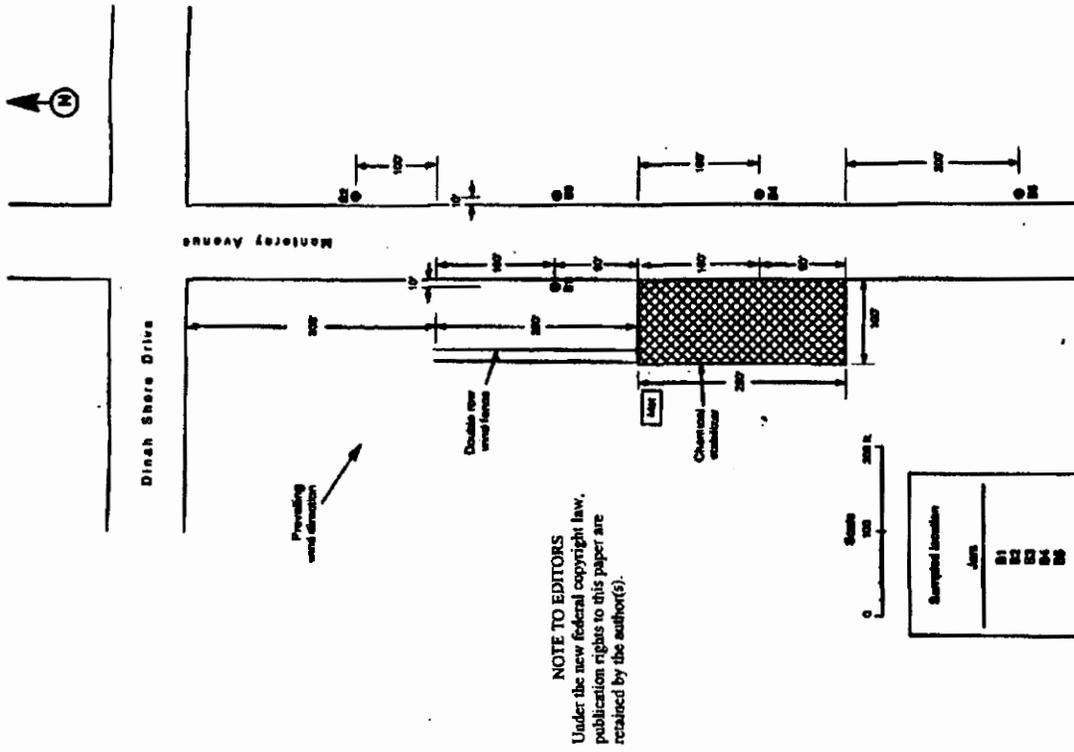


Figure 1. Design of wind fence (side view).



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Figure 2. Schematic layout of blowssand control evaluation test.

Coastal permit #4-82-300

Keith Hansen [wetfire@sbcglobal.net]

Sent: Monday, February 09, 2015 6:25 PM

To: CoastalODSVRAcomments

To whom this may concern,

I am writing today in regards to further closer and study of the Oceano sand dunes recreation areas.

As an avid OHV enthusiast my family and I recreate at the dunes a couple times a year both independently and as part of organized events for the truly unique experience that the dunes offers. It is the ONLY beach in the nation where people can recreate in this manor, on wheels.

As I am to understand, there has already been vast swaths of the dunes closed to recreation up to this point and my concern is that even more will follow until the dunes are completely closed to OHV use.

As mentioned above, we travel from Reno, NV for the recreating experience that ONLY the oceano dunes can offer.

I ask you to please leave the dunes as they are!!

Thank you for your time.

Sincerely,

Keith Hansen

Sent from my iPhone

Bill 4-82-300

John Linder [jrlinder77@aol.com]

Sent: Monday, February 09, 2015 7:40 PM

To: CoastalODSVRAcomments

I am concerned with your constant reduction of places for coastal residents to enjoy. Please consider our Central Coast residents and forget about reducing the area that we use with pride. Leave our Oceano Dunes alone.

John Linder, Santa Maria, CA
Fun Bugs of Santa Maria

coastal permit 4-82-300

Lee BeDell [glbedell@charter.net]

Sent: Saturday, February 07, 2015 12:42 PM

To: CoastalODSVRAcomments

Dear Coastal Commission member:

We can breathe it in, but we can't breathe it out.

Who is responsible for this PM10 air pollution in our county? The Off Highway Vehicle Division of State Parks (OHV) which allows over 2 million people and their vehicles annually to break the crust of the dunes and grind up the sand to create the airborne PM10. There is no dust control in operation. The locally generated PM10 dust billows in clouds over Oceano, Nipomo, and part of Santa Barbara County.

We can breathe it in, but we can't breathe it out.

There is no vaccine to protect against it. The elderly, the young and the immune compromised are most susceptible but all are affected. PM10 can penetrate to the deepest part of the lungs. It causes or contributes to asthma, lung cancer, cardiovascular issues, respiratory diseases, birth defects, and premature deaths. So what can the Coastal Commission do to help? The General Development Plan Revisions (4-82-300) give a clear plan of action. If "public health and safety" are not met (and the air quality issues show that they are not) then you, the California Coastal Commission, can ask the county to enact the county police powers to impose an interim moratorium on "off road vehicle" use until your standards are met.

Remember, we can breathe it in, but we can't breathe it out. Thank you, for your consideration. Geri BeDell and Lee BeDell

Oceano Dunes SVRA Preservation

Stan and Stephanie Maly [sssmaly@msn.com]

Sent: Tuesday, February 10, 2015 7:07 AM

To: CoastalODSVRAcomments

Please consider saving what is left of the Oceano Dunes State Vehicular Recreation Area. Over the years, it has been declining in size when the population and ATV use is on the rise. That trend should make it unsafe if it keeps declining. Out of the state's 840 miles of coastline, Oceano is a mere 5 1/2 miles long.

The following charts are from the 2010- 2011 in the midst of the recession .

Oceano Dunes SVRA Economic Impact Analysis

A. Total Output Overall Economic Impact is estimated to be \$171M (Direct + Indirect + Induced Spending). Total economic impact by day visitors is estimated to be \$10.6m and overnight visitor impact was \$160.9M

B. Employment Overall employment generated is estimated to be 1,987 (Direct + Indirect + Induced Employment). Total employment generated by day visitors is estimated to be 125 and employment generated by overnight visitors, 1,861.

As you can see the financial impact to a small community that relies on the tourist money collected would be devastating

Sincerely Stan . Stephanie and Spencer Maly

COASTAL PERMIT 4-82-300

Kim Herb [kim.d.herb@gmail.com]

Sent: Tuesday, February 10, 2015 8:36 AM

To: CoastalODSVRAcomments

As an avid off-roading family, we are extremely disappointed and concerned about finding out that possibly more of our miniscule open off-road areas are in danger of being reduced or even worse, closed. There have been so many environmental "studies" that have not proven anything (ISDRA milk vetch debacle comes to mind) as far as off-roaders having an adverse affect on the SVRA, we are asking that you please do not take away any more of our land.

Thank you.

Respectfully

The Herb Family

Coastal permit #4-82-300

Jeanne McDermott [bluebird5159@gmail.com]

Sent: Tuesday, February 10, 2015 9:20 AM

To: CoastalODSVRAcomments

I just want to take a minuet out of my busy day to send you and email voicing my concerns about further restricting use of the SVRA. This would not only effect my family's income, as we rely on out of town visitors and events held in the dunes. It would also change how my family spends its time. I strongly encourage you to stop the restrictions and restore the SVRA back to its original size.

Thank you for your time,

Jeannie McDermott A.G.

Coastal permit 4-82-300

Maciel, Michael [Michael.Maciel@akzonobel.com]

Sent: Tuesday, February 10, 2015 10:55 AM

To: CoastalODSVRAcomments

In my opinion the further restriction of the Oceano SVRA would impact the five cities in a negative manner. The people complaining about the dust/ air quality are the same people who cut down the trees that kept the sand down in the first place.

Most people that drive in the dune do not drive when it is windy, so closing the dunes will not do anything. Mother nature is at fault the wind and dune have been there since the beginning of time and will remain long after we leave.

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Click [here](#) for more information.

Thank You,

Mike Maciel

Protective Coatings Center Manager

Santa Maria, Ca

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Oceano dunes svra

Brad Gilpin [bradshotrod@sbcglobal.net]

Sent: Tuesday, February 10, 2015 11:55 AM

To: CoastalODSVRAcomments

Regarding 4-82-300 meeting about the oceano dunes

This has been my family vacation spot with off-road since '60's

I encourage to restore to full size and not to restrict or down size or closure as it would have very strong effect on community, family, jobs and history

I grew up involved with off road and so did my families

We had shown respect with snowy plover issue as well all changes in law. This including helping and showing neighbor to keep place clean watch for bird as well help each other to pass good thing along including enjoy safe day off to vacation. So please consider to open up more, Keep from closure or heavier restriction

This had been here first since late 1800's and as for dust control Mother Nature has that control

If beach were empty those people will complain anyway. Beach was here first not home

So please don't take home away from recreational home

Thanks Brad Gilpin

Sent from my iPhone

coastal permit 4-82-300

Ryan Harrod [rhframing@gmail.com]

Sent: Tuesday, February 10, 2015 12:15 PM

To: CoastalODSVRAcomments

To the coastal commision,

Please support the ohv community and keep the Oceano Dunes recreation area open for ohv and camping use. My family has been using the area since the 1960s and it has been great family fun. I also encourage you to reopen it to its original size as the area closures have just proven concentrate all the ohv use to one area creating a dangerous situation.

Thanks for your support.

Ryan Harrod
831-757-2200

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FEB 09 2015

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CONCERNED CITIZENS FOR CLEAN AIR

February 6, 2015

Dear Coastal Commissioners,

This is a group letter from some South County residents who are concerned about the huge dust plume of particulate matter (PM 10 and 2.5) coming from the OHV park. We believe you are aware of the health impacts from PM 10 and 2.5 exposure, which include worsening asthma, COPD, and bronchitis, irregular heartbeat, up to and including heart attack, stroke and pre-mature death. Many of us are retirees who moved to the Central Coast for the clean air. Many of us have health problems that could be exacerbated by this exposure. Others have a concern for our friends and neighbors who are affected.

During the annual review process you will be considering vehicle impacts related to the operation of the Oceano Dunes SVRA. The most detrimental impact is explained in the Jan. 27th letter from Larry Allen to the Coastal Commission staff. By denuding and disturbing the natural crust on the La Grande Tract, the OHV park management has created a health hazard. According to the American Lung Association, even short-term exposure can be deadly. <http://www.stateoftheair.org/2014/health-risks/health-risks-particle.html#shortterm>

We are asking you to consider the health and welfare of seniors, children and all others living in the plume when you evaluate the management practices. Vehicle impacts are the direct cause of the air pollution problem. There is a relatively simple solution: re-establish the fore dunes and expand and increase the number of vegetation islands. This would help provide habitat for the wildlife as well.

We understand that this must be done in coordination with the County of San Luis Obispo and park management. We urge you to do whatever is within your scope of authority to alleviate the problem as soon as possible. We are facing another year of little rainfall and thus the potential for 80-plus days of exceedances, similar to those in 2014.

Thank you for your time and consideration in this matter.

Sincerely,

Rachelle Toti – co-founder of Concerned Citizens for Clean Air
Arlene Versaw-co-founder of Concerned Citizens for Clean Air

P.O. Box 118
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