



OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION

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May 13, 2022

Mr. Gary Willey, Air Pollution Control Officer
San Luis Obispo Air Pollution Control District
3433 Roberto Street
San Luis Obispo, CA 92307

Mr. Armando Quintero, Director
California State Parks
P.O. Box 942896
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Air Pollution Control Hearing Board
San Luis Obispo Air Pollution Control District
3433 Robert Street
San Luis Obispo, CA 92307

Dear Air Pollution Control Officer Willey, Director Quintero, and APCD Hearing Board

The California Off-Highway Motor Vehicle Recreation Commission (Commission) has recently held several meetings and a workshop regarding the Stipulated Order of Abatement (SOA) issued regarding the Oceano Dunes State Vehicle Recreation Area (SVRA). At the Commission's meeting on February 18, 2022, the Scientific Advisory Group (SAG) presented its most recent findings, including a recommendation to revise the SOA-mandated reduction of PM-10 mass emissions from 50% to 40.7%. While the Commission agrees that this revision is more reasonable than the current standard in the SOA, we still have several concerns.

Principally, the SAG's proposed revision to the SOA does not consider the mineral dust content of PM-10. Based on the Scripps Institution of Oceanography report, presented by Dr. Lynn Russell to the Commission at the meeting on December 9, 2021, it is the Commission's understanding that only a portion of the PM-10 emissions from the SVRA consists of mineral dust from sand dune saltation. It is our understanding that saltation is a wind-driven, natural dune building process that causes sand and finer material to be pushed and bounced downwind. The San Luis Obispo Air Pollution Control District (APCD) contends that dust particles from this process are then carried by the wind to the Mesa, which is about two miles from the SVRA, and that these dust particles comprise the elevated PM-10 detected on the Mesa by the APCD. Further, it is our understanding that existing and future mitigations placed in the dunes are based on the SAG's computer modeling, and that computer modeling assumes that 100% of the PM-10 in the dune/Nipomo Mesa region consists of mineral dust derived from dune saltation.

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Two fundamental principles in any computer modeling are 1) that the modeling is based on identified assumptions and 2) that real-world data is used to determine if those assumptions are true. Accordingly, the most basic assumption of the SAG's computer modeling—that 100% of the PM-10 consists of mineral dust from sand dune saltation should be clearly identified in the SOA revision and then tested. In the February 7, 2022, memo from the SAG regarding their scientific basis for the possible revision of the Stipulated Order of Abatement (SOA), they note “that its approach to modeling pre-disturbance PM10 emissions, which is based on determining the total *effect* of human disturbance on elevated PM-10 emissions, is agnostic to the specific chemical composition of the emitted PM10 dust.” In addition, they state, “the approach presented here aligns with the federal and state PM-10 ambient air quality standards motivating the SOA, which regulate the total airborne PM-10, not just specific constituents.” Some of the OHMVR commission disagree with this approach and request that all constituents of PM dust be considered.

During the Commission's meeting on December 9, 2021, Dr. Lynn Russell from the Scripps Institution of Oceanography presented findings from her three-year study of the chemical composition of PM-10 on the Mesa. Her findings demonstrate that conservatively, no more than 14% of the total PM-10 emissions detected in the downwind monitoring stations could have come from the SVRA. This appears to invalidate the SAG's computer modeling and with it, the basic premise of the SOA and the APCD's long held contention that high PM-10 on the Mesa is the result of off-highway vehicle (OHV) activity at the SVRA. At best, there are inconsistencies between Dr. Russell's research and the justifications given by the APCD for the SOA. This leads us to believe that the current SOA should be revisited specifically about mineral dust content of the PM-10 measured by the APCD on the Mesa.

Additionally, the SOA implemented to date has been a disaster for OHV recreationists who for decades have enjoyed riding and camping at the Oceano Dunes SVRA. Dust mitigation and other measures have reduced the area available for such recreation.

The Commission is further concerned that the burden for reducing downwind dust emissions is being borne solely by OHV recreationists at the SVRA, while other sources, such as construction and agriculture, are not addressed in the SOA. If there are other sources for the alleged downwind problem, those sources should be identified and quantified by the APCD and the SAG so that the SVRA is not the sole bearer of responsibility.

Additionally, we feel that any further dust mitigation features in the dunes, if they are needed at all, should be located outside of the SVRA riding areas, and the cost of such mitigation should not be borne by the OHV Trust Fund.

If these and other issues cannot be resolved, this Commission recommends that California State Parks consider withdrawing from the SOA.

Respectfully,



Patricia G. Ureña, Chair
Off-Highway Motor Vehicle Recreation Commission

cc: Scientific Advisory Group
Off-Highway Motor Vehicle Recreation Commission