July 8, 2019

California Coastal Commission

RE: Oceano Dunes State Vehicular Recreation Area Coastal Development Permit 482-300 Review Area

Dear California Coastal Commissioners,

On behalf of the undersigned organizations, we are writing in strong support of the recommendations directed at reducing the significant adverse effects of Off-Highway Vehicle (OHV) use on public health and natural resources within and around the Oceano Dunes State Vehicular Recreation Area (Oceano Dunes SVRA), as detailed in the California Coastal Commission (Commission) staff’s June 21, 2019, report prepared for the July 11, 2019, Commission hearing. The report comes as a result of the effects of high-intensity OHV use within this area and related impacts to air quality, public health, rare and endangered species habitats, and local communities. As written, Coastal Commission staff are recommending changes to the Oceano Dunes SVRA permit, including prohibition of night riding, increased enforcement, additional fencing and other conditions.

Improving Protections for Rare and Endangered Species

Oceano Dunes SVRA is a Coastal Commission-designated environmentally sensitive habitat area and is part of a larger significant ecological system (the Guadalupe Nipomo dunes complex) that has been identified as critical habitat for the threatened Western snowy plover and other sensitive and listed species including the California least tern, Steelhead trout, and Tidewater goby. Unfortunately, under the current permit, habitat for these species is located within approved vehicular riding areas that has led to multiple and continued instances of take (i.e., death of individual species and habitat destruction), which are violations of section 9 of the Federal Endangered Species Act (ESA). Additional adverse impacts occur as vehicles cross the Arroyo Grande Creek to access riding and camping areas. While the creek does not flow year-round, when it does, it provides habitat for protected California red-legged frog, Steelhead trout and Tidewater goby. Vehicle crossings cause erosion of banks, shallowing of critical spawning habitat and overall degrade degradation of creek health. Despite current periodic crossing prohibitions and guidelines, there is documentation of consistent violations. Of additional concern is the Department of Parks and Recreation’s (DPR) nearly twenty-year delay in completing the required Habitat Conservation Plan for the Oceano Dunes SVRA. Given the impacts on protected and imperiled species and the delay in completing a conservation plan/permit to comply with the federal ESA, the Coastal Commission recommended changes to its permit are essential for improved species protections, including:

- Year-round closure of vegetated dune and snowy plover breeding areas
• Prohibition of the Arroyo Grande Creek when flowing
• Prohibition of night riding (as night noise and light can be extremely detrimental to the listed species)
• Making the 300-acre seasonal endangered species enclosure area permanent and restore the area to enhance habitat
• Increased operational enforcement, which would ensure fencing boundaries and creek crossing guidelines are followed by Oceano Dunes SVRA visitors

Better Protections for the Surrounding Community’s Public Health

Dust emissions associated with OHV use within the Oceano Dunes SVRA are resulting in inland air quality problems, which often exceed State and Federal ambient air quality standards for particulate matter. These high particulate matter concentrations have resulted in what the San Luis Obispo County Air Pollution Control District has deemed a “significant and ongoing public health threat” for the people living inland of this area, which has resulted in disproportionate public health impacts to a lower income population. Given the Commission's recent Environmental Justice Policy and Tribal Consultation commitments, it is important for the Commission to support the staff recommendations regarding dust abatement efforts as well as an outreach program targeting low-income communities. These recommendations are important first steps in addressing the disproportionate impacts to nearby lower income communities.

In summary, the recommendations put forth in the staff report would allow for more responsible coastal resource and species management within the Oceano Dunes SVRA, as well as make this area a safer and healthier destination for visitors and surrounding communities.

For the reasons discussed above, we strongly support the recommendations in the June 21, 2019, Coastal Commission staff report and urge the Commission to approve recommended conditions to the Oceano Dunes SVRA Permit 482-300.

Sincerely,

Kim Delfino
California Program Director
Defenders of Wildlife

Diana Vazquez
Policy Manager
California Environmental Justice Alliance

Juan Altamirano
Associate Director of Public Policy
Audubon California

Lucas Zucker
Policy and Communications Director
Central Coast Alliance United for a Sustainable Economy

Kathryn Phillips
Director
Sierra Club California

Cea Higgins
Executive Director
Coastwalk/California Coastal Trail Association

Jennifer Savage
California Policy Manager
Surfrider Foundation

Rico Mastrodonato
Government Affairs Director
The Trust for Public Land

CC: California Coastal Commission Staff