



March 11, 2021

To: California Coastal Commission

Via Electronic Submission: OceanoDunesReview@coastal.ca.gov

Re: **Oceano Dunes CDP Review**

Dear Commissioners:

We are pleased to submit these comments regarding the Coastal Commission's March 18 hearing to review Coastal Development Permit (CDP) 4-82-300.

Morro Coast Audubon Society fully supports the recommendations of Coastal Commission staff for changes to the CDP as amended: to improve the management and operation of the Oceano Dunes State Vehicular Recreation Area (ODSVRA), and move toward full compliance with the Local Coastal Plan, the California Coastal Act, and the Endangered Species Act.

Importantly, we wholeheartedly support the recommended five-year transition phasing out of OHV over five years. We believe the California Coastal Commission must acknowledge the "elephant in the room" – the OHV activity that damages sensitive species and habitats, as there is more than enough evidence of the harm done by vehicles operating in the dunes.

We also fully support the March 8, 2021 comment letter you received from the Environmental Law Clinic, Mills Legal Clinic at the Stanford Law School – that the proposed phase out of OHV use on the fragile dune system and protected coastal resources of the ODSVRA constitutes sound public policy and is entirely consistent with applicable state law.

The Time is Now

This is the best moment in the last 35 years to restrict off highway vehicles, clean up downwind air quality, protect endangered species and biodiversity, pursue economic and environmental

justice for the community of Oceano and surrounding communities, and develop sustainable and affordable passive recreational opportunities – a defining moment for the Oceano Dunes. These issues at the ODSVRA have lingered for decades. The Coastal Commission should not continue to push resolution of these issues into the future at the expense of the environmentally sensitive resources present at the ODSVRA. We believe the clock has run out on State Parks after nearly four decades of resistance, missed promises, and missed deadlines.

Executive Order N-82-20

As one of the 48 California chapters of the National Audubon Society, we have previously provided comments on aspects of the environmental degradation taking place at the ODSVRA, particularly as it relates to endangered bird species. However, it is the time to think about a more holistic approach to the Oceano Dunes, and Governor Newsom's '30 by 30' Executive Order provides us with that framework.

It is a given that we need to protect habitats and ecosystems; however, that alone will not be enough to preserve what is left of our pristine places. We also need to reverse declines. Ensuring ecosystem resilience, the ability to recover from harmful practices and respond to changing climate conditions, will require ecosystem restoration to reestablish and rebuild systems that have been altered. This is particularly true along California's coastline, where the few beaches remaining are being impacted by coastal erosion, sea-level rise, and ocean acidification.

Furthermore, the well-being of our communities and economic stability are interconnected with our natural and cultural resources and sites such as the Oceano Dunes need to be managed with this approach.

California is a biodiversity hotspot, as is the Guadalupe-Nipomo Dunes Complex, but many species in the dunes are experiencing unprecedented threats both locally and along the Pacific Flyway from a host of issues, including climate change. We will have to move beyond managing endangered species facing extinction to a more holistic approach that keeps our plant and animal communities resilient to climate change and our incredible biodiversity intact. Shifting from ad-hoc crisis management to a broader proactive strategy requires new thinking.

The California Natural Resources Agency, State Parks, and the Coastal Commission are directed to achieve Governor Newsom's '30 by 30' goal, and to prioritize actions that promote biodiversity protection, habitat restoration, and sustainably managed landscapes. These fit in well with the Coastal Commission staff's recommended changes to the Coastal Development Permit and we believe the protection of the ODSVRA's biodiversity should be included in developing and reporting strategies to the governor no later than February 1, 2022. Guiding principles of Executive Order N-82-20 that pertain to ODSVRA:

1. Promote healthy lands that provide multiple benefits including improved air quality, thriving communities, and economic sustainability.
2. Building climate resilience to reduce the risk from extreme climate events (sea-level rise in Oceano).
3. Expanding equitable outdoor access and recreation for all Californians.

We would like to briefly expand on equitable outdoor access. In a nutshell, equity in access allows everyone to visit.

California is the first state to set priorities and incorporate equity, Indigenous People, and access to nature. The goal is to ensure that disadvantaged communities, including communities of color and tribal communities, have a voice and equitable access to a healthy and safe environment. Both Audubon California and Morro Coast Audubon are committed to ensuring that these programs provide benefits to communities that have been deprived of healthy air and access to nature.

This executive order provides an opportunity to close the “nature gap” – as people of color are much more likely to live in communities that are nature deprived. We know California’s access to parks and nature is fundamentally unequal. This inequity exists on many levels including people not feeling comfortable and safe once they can access these natural areas. Currently at the ODSVRA, the mantra “Access for All” is a falsehood – with the off-road vehicles on the beach and dunes.

Other passive users at the ODSVRA who do not feel comfortable or desire not to recreate in traffic, noise, and vehicle exhaust are excluded – including residents of disadvantaged adjacent communities. As a result, the current status of “access for some” does not align at all with Executive Order N-82-20.

Concluding our thoughts on the Governor’s ‘30 by 30’ plan, we bring to your attention the following, and suggest they are relevant to issues at the Oceano Dunes.

1. Restoring the natural landscape at the ODSVRA, that has been damaged by OHV use, can be one of the most effective and inexpensive ways to combat the climate crisis and make our coastline more resilient for future generations.
2. This executive order also directs state agencies to develop programs that promote healthy land management practices – to sequester carbon in plants and soil and to continue appropriate farming. It also encourages collaboration to ensure that farmers, conservationists, and other stakeholders work together to maintain the strong economy of agriculture. We should be storing more carbon in our soils – not removing prime agricultural land, as proposed in the State Park’s Public Works Plan to develop the Oso Flaco Lake region.

3. Healthy societies, resilient economies, and thriving businesses rely on “nature”. And it is worth noting that people (tourists) love visiting “nature” - not a degraded habitat. An economic impact to consider.

We urge State Parks to develop a new access plan for the Oceano Dunes, first starting with asking surrounding communities what they want to see in the park and how they would like to access it. Then State Parks should develop a new plan that provides diversified public access for residents and visitors alike.

Morro Coast Audubon wholeheartedly agrees with California Natural Resources Secretary Wade Crowfoot who stated, “. . .we need to protect people and nature from the impacts of climate change. Given the state’s abundance of nature and the pressure it faces amidst modern society, we need to take new actions to protect our one-of-a-kind community of plants and animals.” Secretary Crowfoot continues, “. . .too many cannot safely access our state parks and beaches – we need to expand all Californian’s access to parks and nature.”

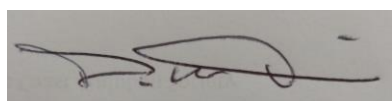
Now is the time for us to take a different path for the ODSVRA, a path that matches the Governor’s goals to protect biodiversity, provide for climate resilience, and increase access to nature for all.

Conclusion

In conclusion we urge you to ask yourselves: Shall a discretionary recreational pursuit have a negative impact on human health, natural resources, environmental justice, and equity in recreational access? You must decide for yourselves what is most important.

The Oceano Dunes is simply too biologically sensitive for environmentally destructive OHV activity. We must all recognize that public policy concerns, and our knowledge of the impacts to the ODSVRA, have changed since vehicular use was first introduced at the Oceano Dunes. We believe that State Parks needs to change direction and designate the Oceano Dunes as a non-vehicular park – a park that all Californians can enjoy.

Sincerely,



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Morro Coast Audubon Society



Andrea Jones
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