

# **SAN LUIS OBISPO COUNTY PUBLIC SAFETY SERVICES AND THE OCEANO DUNES**

## **ARE WE DOOMED BY THE DUNES?.....NOT SO MUCH!**

Each year more than two million visitors come to Pismo State Beach and the Oceano Dunes which is part of the California State Parks Oceano Dunes District. This stretch of beach runs for approximately seven miles from Grand Avenue in Grover Beach to the Oso Flaco Lake. Most come for the day, but many bring their off-road vehicles, camp and play in the Oceano Dunes State Vehicular Recreational Area (SVRA).

Maintaining safety on these 5,000 acres, with so many visitors and vehicles, is a complicated task that requires many resources from the State of California and the County of San Luis Obispo. This report details the efforts by first responders and provides a summary of their activities in maintaining safety at the Oceano Dunes.

### **SUMMARY**

During 2019, the Oceano Dunes has been a topic of discussion for many citizens of San Luis Obispo County. Previous Grand Juries have examined the environmental aspects of the dunes and have come to stated conclusions (2012 Grand Jury report). Considering a record number of serious incidents that have occurred at the Oceano Dunes, the 2019/20 San Luis Obispo Grand Jury (SLOGJ) has chosen to investigate “Public Safety Services and the Oceano Dunes.”

This investigation details the scope and depth of San Luis Obispo County first responder activity at the Oceano Dunes and SVRA. This report includes a study of the impact of first responder response times for south county residents when there were incidents at the dunes. Uncovered by this investigation, were the primary reasons accidents occur at the Oceano Dunes. This report discusses the human toll in death and injury. It also reviews the direct and indirect revenue and costs.

The Grand Jury interviewed several of our county's first responders in developing this report. The Grand Jury would like to commend these men and women for the job they do to keep San Luis Obispo County residents and visitors safe.

## **INTRODUCTION/PURPOSE**

The Grand Jury's initial purpose for this report was to determine if response times to south county residents were affected by incidents at the Oceano Dunes. During the Grand Jury's investigation, many unanticipated aspects of providing support services at the Dunes were revealed. Details on cost, the scope of involvement, ancillary services and human toll came to light. The broader purpose of this report is to quantify the many activities required by the County of San Luis Obispo to maintain safety at the Oceano Dunes.

## **ORIGIN**

During 2019 the Oceano Dunes SVRA was publicized by local and state media for the significant number of incidents that have resulted in injury and fatality. The 2019-20 San Luis Obispo Grand Jury's decision was to study safety at the Oceano Dunes and report to the public.

## **METHOD/PROCEDURE**

To obtain information for this report the 2019/2020 Grand Jury has interviewed individuals and analyzed statistics from the following organizations: Cal Fire, Five Cities Fire Authority, San Luis Ambulance Service, the Sheriff's Department, the County Jail, the County Coroner, the District Attorney's Office, SLO County Public Defender offices, the Auditor's Office, Dignity Health and the State of California Oceano Dunes Park Rangers.

During the Grand Jury investigation statistics related to numbers of calls, response times, arrests, bookings etc. were studied for the past three years where information was available. All the

above-mentioned organizations maintain separate systems for tracking their department activities. The consistency of data was found to be insufficient to do historical trends and for this reason the most recent year (2019) was analyzed and summarized. It should be noted, within this report some historical data is utilized for the benefit of the reader.

The 2019/2020 Grand Jury also reviewed financial data to establish the County of San Luis Obispo's contribution to 'Public Safety Services and the Oceano Dunes.' There was no single unified method for determining costs across all county funded organizations. Each organization provided an estimation of San Luis Obispo County costs, calculated differently based upon variables associated with their responsibilities, some by calendar and others by fiscal year.

## DEFINITIONS

**Oceano Dunes:** The Oceano Dunes name encompasses, for the purposes of this investigation, Pismo State Beach, the SVRA and the campgrounds. Please see map for greater detail. It includes approximately 7 miles of drivable beachfront starting in the north at Grand Avenue in Grover Beach extending south to Oso Flaco Lake. The eastern boundary is generally defined by fencing and has an irregular contour.

**State Vehicle Recreational Area (SVRA):** Approximately three and one-half miles of drivable beachfront within the Oceano Dunes starting in the north at milepost 2 and extending south to just beyond milepost 8. The Dunes eastern boundary is generally defined by fencing and has an irregular contour. The eastern boundary extends further east between milepost 6 and the southern end.

**State Campgrounds:** There are three campgrounds associated with the Oceano Dunes that are patrolled by the State of California Park Rangers. These campgrounds are known as North Beach or Pismo Campground on Pacific Coast Highway just north of the Monarch Butterfly Grove. The SVRA Campground is located on the beach and the Oceano Campground is located on Pier Avenue.

**Auto Aid:** A term used by Cal Fire and the Five Cities Fire Authority for automatic help coming from either agency when an incident is severe and requires more resources or when multiple incidents have occurred simultaneously. In either case, automatic procedures are in place for this to occur.

**Move Up:** A term used by Cal Fire and San Luis Ambulance for a strategy to place first responders and equipment closer to anticipated incidents to improve response time. Example: An ambulance or Fire paramedic could be stationed at the Pier Ave entrance to the Oceano Dunes during major holidays.

## **BACKGROUND/HISTORY**

The Chumash Indian Tribe was among the earliest settlers of the Guadalupe-Nipomo Dunes. The Oso Flaco Lake name comes from the Chumash name “Skinny Bear.” As early as 1915 cars and motorcycles were driving on the Dunes. In 1923, Cecil B. DeMille filmed parts of the *Ten Commandments* at the Dunes. In the 1920-40s a group of non-conformists called the “Dunites” resided at the Dunes. Post-World War II returning soldiers brought four-wheel drive jeeps to the Dunes and dune buggies became popular in the 1950s. The California State Park system started to operate the Oceano Dunes State Vehicular Recreational Area in the 1970s. The future of the Oceano Dunes is uncertain due to environmental concerns.

## **NARRATIVE**

### **SAFETY BY THE NUMBERS**

The following narrative describes how different state, county and city agencies interact to provide safety services at the Dunes. Included in this section are many statistics that agencies provided in describing their performance. First responders view their work in terms such as calls, transports, response time, call time, arrests and cost, to name a few. This section of the report seeks to quantify the depth and scope of first responder activity, later this report will seek to interpret these numbers.

## OCEANO DUNES STATE PARK RANGERS

The California State Park Rangers patrol the Oceano Dunes and areas immediately surrounding the dunes. Their area of coverage goes north to Pismo State Beach and south to Oso Flaco. The primary area, known as the Oceano Dunes SVRA, is roughly 1,250 acres that includes 584 acres known as the La Grande Tract. Included within the SVRA are several small privately-owned tracts purchased years in advance before the SVRA was overseen by the State Parks. The Rangers also patrol the Butterfly Grove and Pismo Lakes. This area is managed by 70+ permanent staff (Park Rangers and administrative staff) and 100+ seasonal or part time (i.e. Lifeguards). On holidays, overtime is paid to provide a more significant presence (additional Rangers) at the Oceano Dunes.

For 2019 attendance has been estimated at 2.2 million. In comparison, Yosemite National Park attendance is a little over four million annually. The SVRA campground has attendance of approximately 300,000 and the Pismo campgrounds has approximately 150,000. Day use passes are estimated to be 1.6 million. The following chart indicates the revenue collected from camping and day use:

STATE OF CALIFORNIA OCEANO DUNES STATE BEACH REVENUE				
Fiscal Year	Pismo Campground	SVRA Campground	Day Use	Total
2019	\$1,217,795 <sup>1</sup>	\$1,102,441	\$668,712	\$2,988,948
2018	\$1,148,940	\$1,070,498	\$735,726	\$2,955,164
2017	\$1,177,667	\$1,031,211	\$666,119 <sup>2</sup>	\$2,874,997

Revenue is based upon a \$10 per day vehicle charge for camping and a \$5 per day vehicle charge for day use. The State of California is evaluating whether to increase fees at Oceano Dunes State Beach. Current fees have been in place for more than 10 years.

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<sup>1</sup>American Disabilities Act (ADA) project closure impacted campground revenue.

<sup>2</sup>Day Use revenue for Oso Flaco was unavailable.

Camping and Day use fees are not shared with the County of San Luis Obispo; they are retained by the State of California. The State of California gives off-road vehicle purchasers the option to register their vehicles and obtain a green sticker (equivalent to a license plate). Revenue from these stickers and a small portion of the California fuel tax is shared with counties hosting SVRAs. During 2019-2020 fiscal year, the County of San Luis Obispo received \$143,244 as their portion of these off-road vehicle registration fees.

On a typical shift, there are 2-4 Rangers on duty at the Oceano Dunes and surrounding areas of responsibility. During an average year, Rangers respond to approximately 5,800 calls. Most calls are routine such as speeding or dogs off leash. Compared to the number of visitors at the dunes, the arrest rate is very low, but does appear to be trending upward. Currently the South County Rangers Station, which patrol the Oceano Dunes, is understaffed. Recruiting Park Rangers has been challenging and Rangers have the opportunity to transfer anywhere within the California Park system. The following chart indicates arrests made by State of California Oceano Dunes Park Rangers.

ARRESTS MADE BY PARK RANGERS			
Year	Total	SVRA	Pismo
2019 <sup>3</sup>	245	84	143
2018	320	82	153
2017	286	89	152
2016	176	47	111

As laws change within the State of California, so does Ranger enforcement. Some crimes, such as minor drug possessions, may result in a ‘Catch and Release’ where Rangers seize the drugs,

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<sup>3</sup> Other arrests occurred within the South County Ranger Zone of Impact; Rangers were involved in 133 AOA’s (assist other agencies).

the individuals are cited and released. The same may be true for certain DUI cases. If a responsible party is at hand, then the individual could be cited and released to the responsible party.

There have been a small number of arrests for major crimes such as assault, vandalism, willful cruelty to a child, gang related activity, rape and attempted homicide. It is when major crimes occur that the Sheriff's department special criminal units take charge. For example, during 2019 an attempted homicide required hundreds of hours of Sheriff Department time to investigate.

When arrests are made by Park Rangers, and are serious in nature, individuals are taken by the Rangers to County Jail. During 2019 there were 307 arrests that required booking at County Jail. Most of the individuals arrested and booked were released within a few hours; however, one individual has stayed more than one year. The County Jail has calculated that in 2019 arrestees from the Oceano Dunes occupied County Jail for an estimated 2,222<sup>4</sup> days. The Oceano Dunes Rangers stated, and San Luis Ambulance confirmed, that most riders at SVRA reside outside San Luis Obispo County.

Tragically, there were six fatalities at the Oceano Dunes in 2019. This was unusual since statistics show that very few deaths occurred at the dunes in previous years. Of the six fatalities, one was confirmed as alcohol related. Otherwise, it is the opinion of senior ranger management that most accidents/injuries (including the fatalities) resulted from inexperience, inattentiveness and speed.

Rangers cite examples of inexperience where riders are unfamiliar with the equipment and terrain. Something as simple as a helmet that doesn't fit properly can result in tragedy. Some first-time riders come to the dunes and push equipment beyond their safety limits. For

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<sup>4</sup> Information from the County Jail stated 164 arrestees stayed for a few hours. This report utilized three hours to equal "a few." The County Jail stated one arrestee was incarcerated for 467 days and this was rounded down to 365 one full year.

experienced riders speed can be a problem. Riders go fast to reach the top of a dune and the excitement of going airborne is thrilling. However, it creates risk when there is a landing area that is not visible. On a busy summer weekend thousands of visitors are using the dunes; rangers can't oversee the safe riding habits of all. The primary responsibility for an individual's riding safety comes with that rider's experience, attentiveness and common sense.

## **SHERIFF'S DEPARTMENT**

The Sheriff's Department maintains a solid working relationship with the California State Park Rangers at the Oceano Dunes. This relationship is governed by a Joint Memorandum of Understanding. Rangers assist the Sheriff with monitoring the homeless population that resides at the Oceano levee and Santa Maria riverbed. The Sheriff assists the Rangers with felony investigations, crime lab and other services when needed.

The San Luis Obispo Sheriff's Department is the largest law enforcement organization within the county. They have resources greater than any other law enforcement agency within the county. Resources such as investigators, the coroner, the county jail, gang task force and crime lab all of which are occasionally called upon at the Oceano Dunes.

The primary law enforcement agency, with authority over the dunes, is the State Park Rangers. For this reason, Deputy Sheriff calls to the dunes are negligible and do not affect normal response times to the South County. The Sheriff's Department does, however, maintain specialty law enforcement services that are occasionally used. Depending on the type of services needed, one call can take many hours. The direct costs related to law enforcement services provided by the Sheriff's department on the Oceano Dunes was \$21,774 in 2019. The following

chart provides statistics regarding Sheriff’s calls and corresponding staff time for emergency services to the Oceano Dunes in 2019.

SAN LUIS OBISPO COUNTY SHERIFF EMERGENCY SERVICES			
	Calls requiring Sheriff Assistance	Staff time dedicated to Sheriff Assistance	County Staff time Cost
	1	237 <sup>5</sup>	\$19,559
	13	26 <sup>6</sup>	\$ 2,215
2019 TOTAL	14	263.2	\$21,774

**CORONER’S OFFICE (SLO County Sheriff Department)**

During 2019, the services of the coroner were used six times for fatalities occurring at the Oceano Dunes. The Coroner’s office conducted six autopsies and toxicology reports. The Coroner’s work time was calculated at 135 hours with direct cost of \$13,627 for services.

**COUNTY JAIL (SLO County Sheriff’s Department)**

The County Jail (controlled by the San Luis Obispo Sheriff’s department) works directly with the State of California Park Rangers at the Oceano Dunes. During 2019 there were 307 arrests by Rangers that resulted in jail time. More than two thirds of those arrests were for DUI, drug related crimes and warrant violations. A smaller percentage of those bookings were for more serious crimes including vandalism, resisting arrest, theft, assault, and willful cruelty to children.

The County Jail has established the cost for housing each inmate per day. In 2019 the number was \$175.69 with \$34.76 for medical. A little more than half (164) of the individuals arrested at the Dunes were incarcerated for just a few hours. The remainder were incarcerated for anywhere from 1 to 365 days during 2019. Collectively, all inmates arrested at the Dunes stayed an estimated 2,222 days in County Jail at an estimated cost of \$390,000.

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<sup>5</sup> Attempted murder one call required 237 hours of Sheriff department personnel.

<sup>6</sup> Actual Sheriff time spent in hours at the Oceano Dunes without attempted murder arrest.

## COUNTY CAMPGROUNDS

The County of San Luis Obispo maintains and oversees several county campgrounds. Two of these are adjacent to the entrances to the Oceano Dunes. The largest is called Coastal Dunes Campground and runs for about one mile along the east side of Highway 1 starting near Grand Avenue heading south. Oceano Memorial Campground is near the Oceano airport. Both county campgrounds cater to the Oceano Dunes. The following chart describes the estimated attendance and revenue received by the county for these sites.

COUNTY CAMPGROUND ATTENDANCE AND REVENUE BY FISCAL YEAR			
	16/17	17/18	18/19 YTD
<b>Costal Dunes</b>			
Attendance	112,870	127,562	112,745
Revenue	\$1,318,661	\$1,371,909	\$1,366,659
<b>Oceano Memorial</b>			
Attendance	10,811	14,774	11,740
Revenue	\$215,170	\$244,152	\$218,450

## CAL FIRE

Cal Fire Station 22 is located on Highway 1 in Nipomo. The operations of Cal Fire Station 22 are 100% funded by the County of San Luis Obispo. The station usually maintains a crew of two firefighters although, on some occasions, a third firefighter may be stationed there. Firefighters from Station 22 are trained as paramedics who can provide life-saving drugs and services. On busy holiday weekends (Memorial Day, July 4<sup>th</sup>, Labor Day) a second crew will be staged at the Dunes.

The area Station 22 covers include the Oceano Community services district. Included in this coverage area is the Oceano Dunes State Beach. Station 22 is the exclusive responding fire station for any emergencies on the Dunes. In the case of a mass casualty incident, other fire stations may also respond, although these events are very rare.

Calls are divided up into four categories which are trauma, medical, fire and heart attack. During 2019 there were 260 calls to the Oceano Dunes. The following chart details the breakout of Station 22 total calls and calls to the Dunes.

CAL FIRE STATION 22 OPERATIONS IN 2019				
Dunes Calls	Total Calls	Percent Dunes Total	2019 Operating Budget For Station 22	County Costs For Dunes Calls
260 /	1216 =	21.4% X	\$1.8 million	= \$385,000

Cal Fire response time for all calls in 2019 was 13.2 minutes on average. Each call that is made from Station 22 received in 2019 lasted, on average, 58 minutes.

Special equipment is needed to respond to the Oceano Dunes. Cal Fire Station 22 has, in its inventory, a 4-wheel drive vehicle that can handle the deep sand and hills of the dunes.

Depending on the severity of the incident, Cal Fire may call for a helicopter rescue. When such a need arises either Calstar (out of Santa Maria) or the CHP helicopter (out of Paso Robles) will respond. Ambulance service accompanies Cal Fire on almost every call to the Oceano Dunes.

Response time is a critical factor for incidents in the Oceano and Nipomo Mesa areas, which can conflict with calls to the Dunes. With the number of calls made to the Dunes there are situations where Cal Fire Oakglen Station may be required to provide Auto-Aid. During holidays and busy summer weekends these situations arise more frequently. When Station 22 firefighters are at a call on the Dunes, other local area stations provide services. By adding crews and repositioning equipment, Cal Fire has worked out a system which alleviates the possible negative affects to response times.

Cal Fire Station 22 responded to 1,216 calls with a 2019 operational budget of \$1.8 million an average of \$1,440 per call. There were 260 emergency calls in all of 2019 at the dunes. The County of San Luis Obispo assumed an estimated cost of \$385,000.

It is important to note that the cost of emergency service work covering the Nipomo Mesa done by Station 22 would continue even if the calls to the Oceano Dunes were reduced to zero. In such a case, Cal Fire would study the unknown impacts on Station 22.

### **FIVE CITIES FIRE AUTHORITY**

The Five Cities Fire Authority (FCFA) was the previous firefighting organization to service the Oceano Dunes. In late 2014 service to the Dunes became Cal Fires responsibility. The FCFA discontinued service to the Dunes for the following reasons:

1. The Oceano Dunes were outside the Five Cities Fire Authority's primary coverage area. Citizens were concerned about out of area coverage and expense.
2. Operating costs to maintain and operate a specialty 4-wheel drive dunes vehicle was excessive. Replacement cost would be prohibitive.

Prior to Five Cities Fire Authority discontinuing service, it was determined that in 2013 there were 124 calls to the Dunes and in 2014 there were 126. Although call numbers were not available for 2015 and 2016, the numbers provided by Cal Fire for 2017 and beyond indicate an upward pace of paramedic calls.

Currently FCFA fire stations do not routinely cover for Cal Fire stations. Under California's Master Mutual Aid Agreement, FCFA will automatically provide aid for major fires or mass casualty incidents.

### **SAN LUIS AMBULANCE**

San Luis Ambulance, under a different name, started work in San Luis Obispo County in 1945. Since 1976, San Luis Ambulance has run contracted ambulance service for the County of San Luis Obispo. San Luis Ambulance is a private, family-owned business whose headquarters is in Arroyo Grande. They employ 160 associates that include nurses, emergency medical technicians and paramedics.

The contract between the County of San Luis Obispo and San Luis Ambulance is a no cost contract with ambulance costs billed privately to the recipient. The County of San Luis Obispo Health Department negotiates the rate which San Luis Ambulance can charge for service.

On a typical shift, San Luis Ambulance dispatches 11 ambulances stationed in the following places waiting for calls: Nipomo (1), Arroyo Grande (2), San Luis Obispo (3), Atascadero (1½), Templeton (1), Paso Robles (1½) and Morro Bay (1). Although only required to maintain one four-wheel drive ambulance, San Luis Ambulance maintains two four-wheel drive ambulances capable of handling the sandy terrain common to the Dunes.

Most calls go to county hospitals from residences and accident scenes. The chart below shows ambulance calls throughout the county and to the Oceano Dunes specifically.

	Total Calls	Patients Transports	Dunes Calls	Dunes' Patient Transports
2019	26,164	17,259	265	147
2018	26,975	17,807	244	130
2017	27,219	18,340	267	130

A review of the home locations for patients transported from the dunes by San Luis Ambulance indicates that 92.8% of those ambulance calls involve people who reside outside of San Luis Obispo County.

Response times for ambulance service in 2019 to the SVRA is 22.5 minutes on average. Within San Luis Obispo County response times can vary. For urban San Luis Obispo, response time is 5.3 minutes and in rural Shandon average is 24.2 minutes. With decades of experience, San Luis Ambulance employs a “Move Up” approach to station ambulances strategically in order to reduce response times. This strategy relocates ambulances closer to the 101 freeway entrance ramps when one or more calls are taking place. On summer holidays, San Luis Ambulance may add and move up an ambulance stationing it at the Pier Avenue entrance to the Dunes. As a result of the dynamic placement of ambulances, there is little impact to the San Luis Obispo County residents when there is an incident on the Dunes.

## **SAN LUIS OBISPO COUNTY DISTRICT ATTORNEY'S OFFICE**

During 2019, the San Luis Obispo County District Attorney logged 11,947 arrests that were referred to their office. The breakout on these arrests are as follows:

	Arrests	Felony	Misdemeanor
Total	11,947	2,307	9,640
Dunes	399	17	382

Within the total number of arrests at the dunes (399) 306 were criminally filed for prosecution. The remainder were dismissed due to insufficient evidence, became pending, or were turned over to the county's diversion program.

The District Attorney's Office was unable to quantify costs related to the 306 criminally filed cases originated from the Oceano Dunes. They represent a portion of the \$11,514,125 San Luis Obispo County District Attorney's 2019/2020 budget.

## **SAN LUIS OBISPO COUNTY PUBLIC DEFENDER'S OFFICE**

The San Luis Obispo County Public Defense is handled by outside law firms that are contracted with the county. Three firms handle the county public defender role with the main firm employing 25 attorneys at the county courthouse.

The public defender offices did not track cases by arresting office and could not provide accurate statistics for the Oceano Dunes, but it is estimated that 80-90% of dunes arrests and bookings at County Jail were handled by the Public Defender. The San Luis Obispo County's 2019/2020 budget for public defense is \$6,786,480.

## **WHAT DO THE NUMBERS MEAN**

The narrative in this section is designed to interpret the statistics and provide a context into how our first responders perform their duties.

## **BEHIND THE SCENES**

The face of the sheriff's department we most commonly see are local deputies who patrol the unincorporated areas of San Luis Obispo County. The deputy sheriffs are the largest group of law enforcement officers in the county, but their role is almost non-existent at the Oceano Dunes. The role of enforcing the law falls on the State Park Rangers.

The vast majority of visitors to the dunes are law-abiding, family-oriented people that are there to have a good time. When major incidents happen, a response is necessary and the Sheriff's department has the resources to ensure the proper outcome occurs.

Safety can also be defined as a feeling of security. When an individual commits a crime and is arrested by Park Rangers, victims want the comfort that perpetrators will be brought to jail, booked and prosecuted. When a fatality occurs, a thorough investigation must happen, forensic data must be collected and a coroner's report must be completed. If the individual arrested can't afford an attorney one is appointed. On the Oceano Dunes, the Sheriff's department and the County of San Luis Obispo take responsibility for these functions.

Every firefighter that goes on call from Station 22 to respond to an injury incident at the SVRA is either an Emergency Medical Technician (EMT) or a Paramedic. Experience has shown that Station 22 paramedics understand the types of injuries that commonly occur with off-road drivers/passengers. These first responders have the training and equipment to expedite the proper emergency care at the scene. These firefighters are paid by the County of San Luis Obispo.

Cal Fire trains EMT's and paramedics in the special driver techniques to navigate the deep sand terrain of the SVRA. This is done so response times are minimized. This saves lives.

## **THE HUMAN TOLL**

As previously reported by the Coroner's Office there were six fatalities at the SVRA in 2019. For each of these fatalities the cause of death was the same, blunt force trauma resulting from vehicle accidents. Another aspect, not often reported by the media, is the number of injuries that

occur at the SVRA. San Luis Ambulance reported 145 transports to local hospitals in 2019, of these 14 were ‘life or death’ Code 3 transports.

In addition to the San Luis Ambulance transfers there are a number of arrivals at local hospitals that come by private vehicle. A friend or relative will sometimes transport injured parties directly. The following chart was provided by Dignity Health Hospitals. They maintain a record of injuries that were caused by ATVs. This chart shows all ATV injuries including those occurring at the SVRA.

HOSPITAL ATV PATIENTS		
	2018	2019
Arroyo Grande Hospital	144	179
French Hospital	16	8
Marian Hospital	18	32
Totals <sup>7</sup>	178	219

Most Code 3 injuries are transported to Sierra Vista Trauma Center in San Luis Obispo. The most common injuries are bone fractures and major lacerations that often require surgery and are sometimes life altering. The most common fractures are to the collar bone and wrists.

## FINANCIAL SUMMARY

San Luis Obispo County receives direct and indirect financial benefits from the millions of visitors to the Oceano Dunes. The county receives a direct benefit of \$143,244 dollars in the 2019/20 fiscal year (\$141,925 in the 2018/19 fiscal year) from the registration of off-road vehicles/ California fuel tax. The county also receives a combined total of \$1,585,109 revenue from the county owned Coastal Dunes and Oceano Memorial Campgrounds for fiscal year 2018/19.

The cities, the county and state experience an undefined indirect revenue from sales tax and bed tax from those individuals visiting the Oceano Dunes. In the County of San Luis Obispo, the sales tax rate is 7.25%. The state receives 6%; incorporated cities receive 1%; the county

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<sup>7</sup> Information for Sierra Vista Hospital was not available.

receives .25%; additionally, the county receives 1.25% for unincorporated areas. Transient Occupancy Tax (TOT or Bed Tax) is individually set by voter approval and is received by the city in which the hotel or campgrounds are located. In Pismo Beach the TOT is 13%. Of that amount 10% goes to the city's general fund and the remainder goes to support tourism in the city and county. For hotels and campgrounds, in unincorporated areas, the county receives the TOT if approved by voters. Currently there is no TOT for camping at the Oceano Dunes.

The Dunes provide an economic vitality to the region. The Oceano Dunes supports a broad-based tourist industry bringing thousands of jobs to the Central Coast in restaurants, hotels, campgrounds, food stores, ATV rentals and gas stations to name a few. The California State Parks Oceano Dunes District commissioned a study<sup>8</sup> that sought to estimate the economic benefit of the Oceano Dunes to businesses in the south county. That estimate is \$243 million annually which includes direct, indirect and induced spending that benefits the cities, the county and the state. These numbers are estimates that make many assumptions, however it is undeniable that without the Oceano Dunes there would be economic loss to the region.

In 2019, the State of California collected \$2,988,948 in direct revenue from the 2.2 million visitors that visited the Oceano Dunes. This included fees for camping and day use permits. Concurrently the County of San Luis Obispo makes direct payments of \$1.8 million to Cal Fire to operate Station 22 from which 21% emergency calls are to the Oceano Dunes. The County also paid for the 307 arrests made at the Oceano Dunes by California Park Rangers in 2019. The County pays hundreds of thousands for specialty law enforcements services.

The State of California incurs costs for protection services on the Oceano Dunes. The State employs 70 full time and 100+ seasonal employees. There is justification on the part of the state to collect day use and camping fees to cover their expense, however this report recognizes that in

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<sup>8</sup> OCEANO DUNES DISTRICT- CALIFORNIA STATE PARKS ECONOMIC IMPACT ANALYSIS REPORT 2016/17, provided by the South County Chamber of Commerce.

total the County pays an aggregate sum in support of the State of California Rangers that is not directly reimbursed.

## **CONCLUSIONS**

California Park Rangers do an excellent job at enforcing the law at the Oceano Dunes. Considering the number of Rangers on patrol and the significant numbers of campers and day use visitors to the Oceano Dunes, public safety is well maintained. The 2019 calendar year was an unusually bad year for fatalities at the Dunes. The Rangers state that “inexperience, speed and inattention” were the main causes for the injuries and fatalities.

Due to its proximity, Arroyo Grande Hospital takes the largest number of injuries occurring at the Oceano Dunes. Cal Fire Station 22 paramedics respond to the Dunes on a frequent basis. Twenty one percent of Station 22 calls are to the Oceano Dunes and San Luis Ambulance responds to nearly every call that Cal Fire makes. San Luis Ambulance, through its billing system, has determined that over 90% of the Dune transports are from outside the county.

San Luis Obispo County resources play a large role in keeping local residents and visitors safe at the Oceano Dunes. They act as vital support to the Rangers. Although the Sheriff’s Department plays a minor role in actual enforcement, their support role with the County Jail, the Coroner’s Office and special investigative departments are essential to the law enforcement activities of the Rangers. The County’s District Attorney and Public Defense teams actively prosecute and defend individuals that were arrested by Park Rangers at the Dunes.

If the SVRA was closed to off-road vehicles there is no indication that there would be a significant reduction in service provided by Cal Fire, Sheriff’s Department, or San Luis Ambulance. Changes could include reduction of some personnel or overtime, and some specialty equipment may be reassigned. There is no evidence that an SVRA closure would impact response time to south county residents.

The State of California and the County of San Luis Obispo financially benefit from the Oceano Dunes. Millions of dollars are brought into the general funds of the State and County because of the existence of the SVRA and the tourists that flock to the dunes for recreation.

## **FINDINGS**

- F1. There is no evidence of an increase in response time by Cal Fire, the Sheriff's Department or San Luis Ambulance to the emergency needs of south county residents when incidents occur at the Oceano Dunes.
- F2. The primary reason for steady response times by Cal Fire Paramedics and San Luis Ambulance is their strategic repositioning and move-up strategies. These approaches effectively place resources in positions that minimize response times.
- F3. Although the Sheriff's department plays a minor role in the day-to-day law enforcement at the Oceano Dunes, they play a vital role when major crimes occur.
- F4. The Oceano Dunes District State Park Rangers attribute the main cause of accidents at the SVRA to inexperience, inattentiveness and speed.
- F5. The County Jail, which is part of the Sheriff's department, incurs expense for booking and housing individuals arrested at the Oceano Dunes. The County of San Luis Obispo bears the cost of prosecuting and defending individuals arrested at the Oceano Dunes.
- F6. Of those requiring ambulance transport service at the Oceano Dunes, 92.8% are from locations outside of San Luis Obispo County.
- F7. The county and the state receive financial benefit from camping, sales tax and registration fees. The direct safety support services provided by the County of San Luis Obispo to the Park Rangers for services rendered at the Oceano Dunes are not reimbursed by the State.

## **RECOMMENDATIONS**

- R1. The County of San Luis Obispo should explore cost recovery for county services. The nature of off-road activities on the Oceano Dunes/SVRA require a unique level of county support.

- R2. The County of San Luis Obispo should actively promote public safety announcements encouraging safety at the Oceano Dunes:
- a. Be educated to your surroundings and vehicle
  - b. Be attentive
  - c. Be mindful of your speed

## **REQUIRED RESPONSES**

The following people are required to respond to the findings and recommendations within the timeframe shown and in accordance with the California Penal Code Section 933.05:

Board of Supervisors shall respond to R1 and R2.

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court by August 24, 2020. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

## **COMMENDATIONS**

Cal Fire and San Luis Ambulance are commended for their repositioning and move up strategies to minimize response times to the Oceano Dunes and to ensure response times to south county residents are not affected by incidents at the dunes.

The State of California Oceano Dunes Rangers and the San Luis Obispo County Sheriff's department are commended for their cooperative, reciprocal relationship for law enforcement at the Oceano Dunes.

## **AGENCY RESPONSE REQUIREMENTS**

The Penal Code Section 933.05 that specifies the format and methodology for agency responses is listed below. All agency respondents are required to respond to all findings and recommendations in the following manner:

- If the respondent disagrees wholly or partially with an item, the respondent must elaborate on the portion of the item that they disagree with, and provide an explanation.
- If a respondent notes that an item will be implemented in the future, the response must include a timeframe for implementation.
- If a respondent notes that an item requires further analysis, the agency must include in the response an explanation of and the scope of what will be studied and the timeframe needed for the study. The timeframe for follow-up from the agency cannot exceed six months.
- If the item will not be implemented or is not reasonable, the respondent is required to provide a detailed explanation.

**933.05. Findings and Recommendations**

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
  - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
  - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
  - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
  - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Presiding Judge	Grand Jury
Presiding Judge Jacqueline H. Duffy Superior Court of California 1035 Palm Street Room 355 San Luis Obispo, CA 93408	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403