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October 24, 2017

Ray Biering, Attorney at Law
Attorney for San Luis Obispo County Air Pollution District
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PO Box 3835
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Mitchell Rische, Deputy Attorney General
Attorney for Oceano Dunes State Vehicle Recreation Area
Public Rights Division, Land Law Section
CALIFORNIA DEPARTMENT OF JUSTICE
300 South Spring Street, Suite 1702
Los Angeles, California 90013

VIA EMAIL BY CLERK OF THE BOARD AND BY SUBSEQUENT POSTAL SERVICE DELIVERY

**RE: CASE NO 17-01 PETITION FOR ABATEMENT ORDER
SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL
DISTRICT (DISTRICT AND PETITIONER)
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION-OFF
HIGHWAY MOTOR VEHICLE RECREATION DIVISION - OCEANO DUNES
STATE VEHICLE RECREATION AREA (ODSVRA AND RESPONDENT)
REQUEST BY CHAIR PURSUANT TO LOCAL RULE 806 FOR
CLARIFICATION OF ISSUES**

Dear Mr. Biering and Mr. Rische:

Pursuant to San Luis Obispo Air Pollution Control District, Local Hearing Board Rule 806:
"The Chairman or any two members, without a meeting, may require the petitioner to state further facts or reframe a petition so as to disclose clearly the issues involved."

This letter shall serve as my request, as Chair of the Hearing Board, that the District provide the hearing board and the parties to this action with clarification of facts in order to assist the board and all parties to ascertain claims made in following areas:

1. Please specify which State Laws and District regulations the APCO and District claim that Respondent, ODSVRA has violated.

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2. Please clarify what activity, action, failure to act or other means by which you claim ODSVRA behavior constitutes a violation of California Health and Safety Code section 41700 and San Luis Obispo County APCD Rule 401.
3. Please clarify what activity, action, failure to act or other means by which you claim ODSVRA behavior is in violation of Local APCD Rule 1001.
4. What specific orders or conditions does APCD seek that the Hearing Board include in an abatement order?

This is not a request that you file an amended petition, unless that is your preference. It is only a request for clarification and supplemental information.

This notice is being provided via email in order to enable the parties to discuss this further at the telephonic pre-hearing conference set for Wednesday, October 25th. The email will be followed by a copy via U.S. Mail.

The form, date of production and distribution of the information requested in this letter shall be discussed by the attorneys for the parties at the pre-hearing phone conference scheduled for 4 P.M. on October 25, 2017.

Thank you for your attention to this matter.

Eileen Mackin Getzoff, Chair
San Luis Obispo County Air Pollution District Hearing Board

CC: Susan Adams, Attorney for SLO APCD Hearing Board