



Air Pollution Control District
San Luis Obispo County

October 25, 2017

Eileen Macklin Getzoff, Chair
San Luis Obispo County APCD Hearing Board

Dear Eileen,

After many hours of very difficult contemplation, I am writing this letter to ask that you voluntarily recuse yourself from the Hearing Board proceedings related to the APCD Petition for Abatement Order against the Off-Highway Motor Vehicle Division of the California Department of Parks and Recreation (OHMVR). This request is based on a very strong potential for conflict of interest being raised as an issue for you due to numerous appearances before the APCD Board by your husband, Charles Getzoff, in which he has expressed significant concerns regarding the dust emissions from the Oceano Dunes SVRA. Ronnie Glick from OHMVR called the APCD a few days after we submitted the Petition asking for the names of all our Hearing Board members. The following day, Mr. Glick called back asking if there was any connection between you and Charles Getzoff, who had just testified at our most recent APCD Board meeting on September 27 regarding the dust issue on the Mesa. I just reviewed the video of that meeting - below are a few of the statements Charles made in his public comments related to the dust issue:

"A large part of the emissive land is owned by the County and, in turn, by its citizens. It's time to take control of that land and fence it off like Larry recommended. We need to stop playing the victim and take action instead of letting Parks run all over us. I've owned rentals and would never tolerate a tenant performing like Parks for as long as they have. It's our land and we're renting to a bad tenant. It's time to evict them. Stop playing the victim - the people on the Mesa are the victims." - Charles Getzoff, September 27 APCD Board Hearing

While these and other comments by your husband at previous meetings represent his opinions only and not yours, they do present a very strong perception of a potential conflict of interest for you, especially given your role as our Hearing Board Chair. I believe you are fully capable of acting objectively in this matter; however, I am very concerned this issue will be raised either just before the hearing or at the hearing, which has the potential to completely derail the process from the start, or open it to significant challenge by anyone who disagrees with the outcome.

Thus, for the good of the Hearing Board process and the credibility of the APCD, I am asking that you formally recuse yourself and let the Vice Chair of the Hearing Board take over the proceedings, with your alternate, Dr. Johnson, stepping in to replace you on this

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matter before the Board. This is an extremely difficult request for me to make, and I don't do it lightly. Yet I firmly believe your recusal is necessary to ensure the integrity of the Hearing Board process and that there is no appearance of bias by any Hearing Board member to avoid potential procedural challenges down the road. Thank you for your consideration and understanding of this difficult issue.

With the utmost respect,

A handwritten signature in blue ink, appearing to read "Larry R. Allen", with a stylized flourish extending to the right.

Larry R. Allen
Air Pollution Control Officer