## MINUTES OF THE AIR POLLUTION CONTROL DISTRICT HEARING BOARD OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Friday, October 14, 2022

The Air Pollution Control District Hearing Board of the County of San Luis Obispo, State of California, met in regular session at 9:00 A.M., via Zoom Webinar in compliance with AB 361.

- 1 CALL TO ORDER
- 2 ROLL CALL

**PRESENT:** Members William Johnson, Chair, Paul Ready, Dr. Robert Lapidus, Robert Carr,

and Jim Anderson

**ABSENT:** Members None

3 HEARING BOARD BUSINESS

This is the time set for consideration and approval of the June 17, 2022, APCD Hearing Board Meeting and October 4, 2022, Special Hearing Board Meeting minutes.

## **Staff Report**

Thereafter, on motion of Dr. Robert Lapidus, seconded by Paul Ready and on the following roll call vote:

AYES: Dr. Robert Lapidus, Paul Ready, William Johnson, Chair, Jim Anderson

NOES: None

**ABSENT: Robert Carr** 

Motion to approve the June 17, 2022, APCD Hearing Board Meeting and October 4, 2022, Special Hearing Board Meeting Minutes, approved.

Member Carr is now present.

Progress report on activities called out in Stipulated Order of Abatement (Case No.17-01): In the Matter of California Department of Parks and Recreation - Off-Highway Motor Vehicle Recreation Division - Oceano Dunes State Recreation Area.

This is the time set for an introduction to the progress reports on activities called out in Stipulated Order of Abatement #17-01.

**Mr. Gary Willey** provides the Board with an introduction to the progress report on activities called out in Stipulated Order of Abatement #17-01.

7 This is the time set for a presentation by State Parks Scientist, Mr. Ronnie Glick.

**Mr. Ronnie Glick** provides the Board with a presentation on the 2022 Annual Report and Work Plan under the Stipulated Order of Abatement and responds to Board member questions and comments.

This is the time set for a presentation by the Scientific Advisory Group's Chair, **Dr.** Raleigh Martin.

**Dr. Raleigh Martin** provides the Board with a presentation on behalf of all the Scientific Advisory Group members regarding the 2022 Annual Report and Work Plan and the proposed modifications to the Stipulated Order of Abatement.

This is the time set for a presentation by SLO County APCD's Senior Air Quality Scientist, **Mr. Karl Tupper.** 

**Mr. Karl Tupper** provides the Board with a preview of the speciation study and reviews air quality trends and then provides a presentation on the provisional approval of the 2022 Annual Report and Work Plan. **Mr. Tupper** responds to Board member questions and comments.

This is the time set for comments from the public on the presentations just heard.

Chairperson Johnson opens the floor to public comment; Rachelle Toti, Chris Sorensen, Dick Wishner, and Jared Macleod speak.

This is the time set for Board member questions and comments.

Mr. Gary Willey, Mr. Karl Tupper and Hearing Board Counsel Tim McNulty respond to Board member questions and comments.

This is the time set for the clerk of the board to administer the oath to anyone providing testimony.

The Clerk of the Board reads the oath statement and ask all participants providing testimony to state their first and last name and that they accept the oath.

This is the time set for a hearing to consider the Air Pollution Control Officer's application to modify the terms and conditions of Stipulated Order of Abatement (Case No.17-01): In the Matter of California Department of Parks and Recreation - Off-Highway Motor Vehicle Recreation Division - Oceano Dunes State Recreation Area.

APCD Application to Modify Stipulated Order of Abatement #17-01

Proposed Order to Modify Stipulated Order of Abatement #17-01

14 Accept public comment.

Allen Doran Public Comment 10-14-2022

Arlene Versaw Public Comment 10-14-2022

Bill Morris Public Comment 10-14-2022

Charles Varni Public Comment 10-14-2022

Chris Sorensen Public Comment 10-14-2022

Cindy Lewis Public Comment 10-14-2022

Concerned Citizens for Clean Air Public Comment 10-14-2022

Dorothy Hines Public Comment 10-14-2022

Dorothy Modafferi Public Comment 10-14-2022

Ed Harris Public Comment 10-14-2022

Ed Harris Public Comment #2 10-14-2022

Elizabeth Manak Public Comment 10-14-2022

Glenn Eineman Public Comment 10-14-2022

Jenny West Public Comment 10-14-2022

Jim Suty Public Comment 10-14-2022

John O'Connell Public Comment 10-14-2022

John O'Connell Public Comment #2 10-14-2022

Len Jarrott Public Comment 10-14-2022

Linda Reynolds Public Comment 10-14-2022

Liz Murray Public Comment 10-14-2022

Marcia Johnson Public Comment 10-14-2022

Martin Maglione Public Comment 10-14-2022

Mary Louis Labade Public Comment 10-14-2022

Michael Normoyle Public Comment 10-14-2022

OHMVR Commission Public Comment 10-14-2022

Rachelle Toti Public Comment 10-14-2022

Richard Wishner Public Comment 10-14-2022

Rosemary Remacle Public Comment 10-14-2022

Ross Chenot Public Comment 10-14-2022

Scott DiSalvo Public Comment 10-14-2022

Sherry Trade Public Comment 10-14-2022

Stan Gitler Public Comment 10-14-2022

Tom Giangreco Public Comment 10-14-2022

Tom Roth Public Comment 10-14-2022

Tom Roth Public Comment #2 10-14-2022

Tom Roth Jump Drive #1

Tom Roth Jump Drive #2

**District Counsel McNulty** addresses procedural concerns expressed by Tom Roth regarding the acceptance of written materials in advance of the hearing and advises the Board there are no procedural issues with the notice as published.

**Mr. Gary Willey** provides the Board with an overview of his application to modify the terms and conditions of Stipulated Order of Abatement (Case No. 17-01): In the Matter of California Department of Parks and Recreation - Off Highway Motor Vehicle Recreation Division - Oceano Dunes State Recreation Area.

**Mr. Karl Tupper** provides the Board with a detailed explanation of the proposed changes to Stipulated Order of Abatement (Case No. 17-01).

Chairperson Johnson opens the floor to public comment; Rachelle Toti, Chris Sorensen, Chris Jauregui, Edie Chang, Jared Macleod, and Michael Normoyle speak.

This is the time set for Board member questions and comments on the Air Pollution Control Officer's application to modify the terms and conditions of Stipulated Order of Abatement (Case No. 17-01).

Mr. Gary Willey and Mr. Karl Tupper respond to Board member questions and comments.

Thereafter, on motion of Paul Ready, seconded by Jim Anderson and on the following roll call vote:

AYES: Paul Ready, Jim Anderson, William Johnson, Chair,

NOES: Dr. Robert Lapidus, Robert Carr

ABSENT: None

## Motion to approve the proposed revised terms and conditions of Stipulated Order of Abatement (Case No.17-01) with the deletion of Whereas #3, Page 2, Lines 11-13, approved.

This is the time set for members of the public to address the Hearing Board on items not on the scheduled agenda.

**Chairperson Johnson** opens the floor to public comment with no response.

Selection of date for next Hearing Board update of progress on activities called out in Stipulated Order of Abatement (Case No.17-01).

Thereafter, on motion of Jim Anderson, seconded by Paul Ready and on the following roll call vote:

AYES: Jim Anderson, Paul Ready, William Johnson, Chair, Dr. Robert Lapidus, Robert

Carr.

NOES: None ABSENT: None

Motion to schedule the next regular APCD Hearing Board meeting for Friday, October 13, 2023 at 9:00 a.m., approved.

There being no other business, on motion duly made and unanimously carried, the meeting is adjourned.

ALYSSA R. ROSLAN,

Clerk of the APCD Hearing Board