

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

Tuesday, October 15, 2024

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., in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, pursuant to notice heretofore given.

1 FLAG SALUTE

## 2 ROLL CALL

**PRESENT:** Members William Johnson, Chair, Paul Ready, Robert Vessely, Chuck Anders, and Dr. Robert Lapidus

**ABSENT:** Members None

### 3 Election of an APCD Hearing Board Vice Chair.

**Thereafter, on motion of Robert Vessely, seconded by Chuck Anders and on the following roll call vote:**

**AYES:** Robert Vessely, Chuck Anders, William Johnson, Chair, Dr. Robert Lapidus

**NOES:**      **None**

**ABSENT: None**

**Motion to appoint Member Paul Ready as Vice Chair of the APCD Hearing Board, approved.**

4 [Approval of October 13, 2023 APCD Hearing Board Meeting Minutes.](#)

## Staff Report

**Thereafter, on motion of Paul Ready, seconded by Robert Vessely and on the following roll call vote:**

**AYES:** Paul Ready, Robert Vessely, William Johnson, Chair, Chuck Anders, Dr. Robert Lapidus

**NOES:**      **None**

**ABSENT: None**

**Motion to approve the minutes of the October 13, 2023 Hearing Board meeting, approved.**

**Chuck Anders** reports to the Board and the public that he met with **Karl Tupper** of the SLO County APCD in July of 2024 to obtain some information to date regarding dust mitigation efforts at the Oceano Dunes SVRA.

**Chairperson Johnson** asks the Board if there were any other communications to report, with no response.

5            [Progress report 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. Includes review and workshop addressing Provisionally Approved Annual Report and Work Plan and Advisory Group Recommendations.](#)

6            [Introduction by SLO County APCO.](#)

**Gary Willey** provides the Board with an introduction of the presenters set before the Board.

7            Presentation by California State Parks.

**Jon O'Brien** provides the Hearing Board with a presentation on State Parks' efforts to mitigate dust at the Oceano Dunes State Vehicular Recreation Area in collaboration with the Scientific Advisory Group and the SLO County APCD. **Mr. O'Brien, Ian Walker** and **Jack Gillies** of the Scientific Advisory Group responds to Board member questions

8            [Presentation by the Scientific Advisory Group.](#)

**Dr. Bernard Bauer** provides the Hearing Board with a presentation on how the excess emissions assessment for the ODSVRA has been conducted and responds to Hearing Board member questions and comments.

9            [Presentation by SLO County APCD.](#)

**Gary Willey** provides the Hearing Board with a presentation on the evolution of dust controls at the ODSVRA and responds to Hearing Board member questions and comments.

10          [Accept Public Comment.](#)

**Chairperson Johnson** opens the floor to public comment with the following speakers providing comments: **Chris Sorensen, Jim Suty, Rachelle Toti.**

11          Board member questions or comments.

12          [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.](#)

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

[Staff Report](#)

14          Proposed Order to Modify Stipulated Order of Abatement (Case No. 17-01)

### [Staff Report](#)

The Clerk of the Board administers the oath to members of the public providing testimony.

**Gary Willey** provides an overview of the modifications of Stipulated Order of Abatement proposed and responds to Hearing Board member questions and comments.

**Bernard Bauer** accepts the oath and responds to Hearing Board member questions and comments on behalf of the Scientific Advisory Group.

15           Accept public comment.

**Chairperson Johnson** opens the floor to public comment with the following speakers providing comments and accepting the oath: **Karen Suty, Lawrence Shinderman, Thomas Ryan, Jim Suty, and Rachelle Toti.**

### [Concerned Citizens for Clean Air Public Comment](#)

#### [Will Harris Public Comment](#)

#### [Chris Sorensen Public Comment](#)

#### [Michael Elliott Public Comment](#)

#### [Yvonne Williams Public Comment](#)

#### [Peg Pinard Public Comment](#)

#### [John O'Connell Public Comment](#)

#### [Rachelle Toti Public Comment](#)

#### [Friends of Oceano Dunes Public Comment](#)

#### [Arlene Versaw Public Comment](#)

**Thereafter, on motion of Paul Ready, seconded by William Johnson, Chair and on the following roll call vote:**

**AYES:**       **Paul Ready, William Johnson, Chair,**  
**NOES:**       **Robert Vessely, Chuck Anders, Dr. Robert Lapidus**  
**ABSENT:**   None

**Motion to adopt the proposed modification of Stipulated Order of Abatement 14-01 as proposed, with the exception of striking the sentence on Page 4, Section 2b. that reads "By October 16, 2028, in consultation with the SAG and CARB, the Respondent shall obtain Hearing Board approval that the approved excess emissions goal has been met," failed.**

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, Chuck Anders,  
NOES: Robert Vessely  
ABSENT: None

Motion to adopt the proposed modification of Stipulated Order of Abatement 14-01 as proposed, approved.

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, Robert Vessely, Chuck Anders,  
NOES: None  
ABSENT: None

Motion to direct staff to develop an air quality metric to be used in further compliance of the Stipulated Order of Abatement and present it to the Hearing Board at its next scheduled meeting, approved.

16 [Public Comment \(Pursuant to Government Code 54954.3\) - Matters not on the Agenda.](#)

Chairperson Johnson opens the floor to public comment on matters not on the scheduled agenda with Jim Sutty speaking.

17 [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 Dr. Robert Lapidus, seconded by Paul Ready and on the following roll call vote:

AYES: Dr. Robert Lapidus, Paul Ready, William Johnson, Chair, Robert Vessely, Chuck Anders,  
NOES: None  
ABSENT: None

Motion to select June 25, 2025 and October 15, 2025 as the APCD Hearing Board's next two hearing dates, approved.

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

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Chairperson

**ATTEST:**

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**ALYSSA R. ROSLAN,**  
Clerk of the APCD Hearing Board