

## Alyssa Roslan

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**From:** David Bernstein <djbernstein1410@gmail.com>  
**Sent:** Wednesday, November 13, 2019 4:51 PM  
**To:** Alyssa Roslan  
**Subject:** [EXT]Public Comment for APCD Hearing Board Meeting on November 19, 2019

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Members of the APCD Hearing Board:

Laws, rules, regulations. Our society would not run without them, and yet, by their very nature, they have an inherent weakness: they are only as effective as our willingness to enforce them.

The OHMVR Division of State Parks has a long history of ignoring any and all attempts to regulate its operations. This has led to the Stipulated Order of Abatement (SOA) that was signed 19 months ago. Since that time, State Parks has continued to disregard its responsibilities under the SOA and has demonstrated its total disregard for the health and welfare of the residents of the Nipomo Mesa. Unless there are consequences for this behavior, there is no reason to assume that State Parks will do anything other than to continue to resist, obstruct, and delay.

Taking a "reasonable" approach to a dispute only works when the other party is willing to be reasonable. Clearly, that is not the case here. The only way that the Hearing Board will achieve the goals of the SOA is by instituting consequences for noncompliance that are significant enough to compel State Parks to live up to its obligations. Therefore, I strongly urge the Hearing Board to immediately prohibit continued vehicular activity in the most emissive areas of the ODSVRA until such time as State Parks complies with the mandates of the SOA.

As a member of the APCD Hearing Board, you have to decide whether or not this Board is serious about achieving the goals of the SOA. Currently, only you know the answer to that, but at the end of the day, everyone in the County is going to know the answer. I hope you make wise choices.

Respectfully submitted,

David Bernstein  
Nipomo Resident