



Air Pollution Control District
San Luis Obispo County

May 5, 2017

Mathew Fuzie
Deputy Director, OHMVR Division
California Department of Parks and Recreation
1725 23rd Street, Suite 200
Sacramento, California, 95816

SUBJECT: Notice of Potential Issuance of Notices of Violation in accordance with the [FIRST AMENDMENT TO THE AGREEMENT SET FORTH IN THE PROPOSED CONSENT DECREE DATED MARCH 4, 2014 \(AGREEMENT\)](#) and the Incorporated Proposed [CONSENT DECREE, DISMISSAL OF APPEALS, AND REMAND TO THE TRIAL COURT TO ENFORCE THE CONSENT DECREE THROUGH CONTINUING JURISDICTION PURSUANT TO CCP §664.6 \(CONSENT DECREE\)](#)

Dear Mr. Fuzie:

In accordance with our Agreement, we are providing notice under the provisions listed in the proposed Consent Decree Paragraph 6.a. that the Air Pollution Control Officer (APCO) has determined State Parks violated, or is in violation of the following Rules and Regulations and the APCO may proceed with Issuance of Notices of Violations:

Rule 1001, Coastal Dunes Dust Control Requirements:

Sections C.2, F.1.f and F.1.g for failure to maintain and operate a control site monitor, and Sections C.3 for exceeding the PM₁₀ concentration limits.

Rule 402, Nuisance:

For discharging or allowing the discharge of quantities of air contaminants (Particulate matter) which has caused injury, detriment, nuisance or annoyance to a considerable number of persons or to the public.

In accordance with Consent Decree Paragraph 6.b, we are available to meet by telephone immediately or by arrangement in person within the next 30 days at the District's office to discuss resolution.

Very truly yours,

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

Cc: Ray Biering, APCD Counsel
Ellen Peter, CARB Chief Counsel
Nicholas Rabinowitsh, CARB Staff Counsel