

CCUP 21-0004

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Tue 4/23/2024 1:45 PM

To: Planning Department <planning@edcgov.us>; Evan R. Mattes <Evan.Mattes@edcgov.us>

4/23/24
Item # 4
8 pages

📎 4 attachments (402 KB)

Ltr to EDC Planning Commission re Single Source Application 4_23_24(3893042.1).pdf; Outdoor odor data aggregated_042324.xlsx; Schafer_Odor Bio_2013.pdf; Resume_Schafer_2024.pdf;

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Thank you.

Todd R. Moore

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April 23, 2024

VIA E-MAIL

El Dorado County Planning Commission
c/o Evan Mattes, Planner
2850 Fairlane Court
Placerville, CA 95667
planning@edcgov.us

Re: CCUP21-0004/Single Source (the "Project")

Honorable Members of the Planning Commission:

This letter is submitted on behalf of the Committee To Protect River Pines Estates with respect to CCUP21-004, set for consideration at the Commission's April 25, 2024 meeting. The Committee supports staff's recommendation that the Project be placed off-calendar to permit preparation of an EIR.

Title 14 §15064 of the California Code of Regulations requires the preparation of an EIR under the circumstances before the Commission. It states "[i]f there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR." The Committee provided a report by Paul Schafer of CSC Engineers, a nationally-recognized expert in cannabis odor control, that powerfully disputes the baseline odor assumptions underlying the findings of "no impact" in the Initial Study.

As further support for the fact that an EIR is required, the Committee is providing with this letter a tabulation of aggregated data prepared by Mr. Schafer from five different cannabis cultivation sites in California. These include a fully outdoor cultivation site as proposed in Phase I of Project, and a mixed "hoop house" and outdoor grow as proposed in Phase II. As these data measurements reveal, the odor baselines assumed by the applicant's study understate the odors by a large multiplier and thereby vastly understate the odor impacts of the Project on surrounding homes and property. In addition, these data substantiate that harvesting operations (for which the applicant's consultant attributed no odor emissions at all) generate a baseline odor of up to 3213 D/T, many orders of magnitude higher than any data employed by the applicant in its analysis.

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The Committee is also providing herewith a detailed Curriculum Vitae for Mr. Schafer and a summary of his odor control experience.

The Committee respectfully requests that the Commission follow the applicable law. The Commission cannot adopt a Mitigated Negative Declaration on the basis of the record before it. An EIR is required.

Very truly yours,

/s/ Todd R. Moore

Todd R. Moore
of HAHN & HAHN LLP

Attachments

TMOORE\77777.00324\3893042.1

Composite Outdoor Odor Data from Cannabis Cultivation Operations:

 =Differential from background over 20 D/T

Date	Time Sampled	Location Description	D/T	Up/Down Differential	Site
9/12/2019	10:10	Upwind	11	0	1. Outdoor grow with hoop House covers.
9/12/2019	10:14	Within Hoop House 1	45	34	1. Outdoor grow with hoop House covers.
9/12/2019	10:20	Within Hoop House 2	298	287	1. Outdoor grow with hoop House covers.
9/12/2019	10:10	50 Feet From Edge of Grow	19	8	1. Outdoor grow with hoop House covers.
9/12/2019	10:14	51 Feet From Edge of Grow	11	0	1. Outdoor grow with hoop House covers.
9/12/2019	10:15	Property Line - 200 feet	21	10	1. Outdoor grow with hoop House covers.
9/12/2019	10:10	Property Line - 200 feet	21	10	1. Outdoor grow with hoop House covers.
9/12/2019	13:40	Upwind	11	0	1. Outdoor grow with hoop House covers.
9/12/2019	13:45	Within Hoop House 1	177	166	1. Outdoor grow with hoop House covers.
9/12/2019	13:49	Within Hoop House 2	149	138	1. Outdoor grow with hoop House covers.
9/12/2019	13:40	50 Feet From Edge of Grow	45	34	1. Outdoor grow with hoop House covers.
9/12/2019	13:43	51 Feet From Edge of Grow	38	27	1. Outdoor grow with hoop House covers.
9/12/2019	13:45	Property Line - 200 feet	35	24	1. Outdoor grow with hoop House covers.
9/12/2019	13:40	Property Line - 200 feet	25	14	1. Outdoor grow with hoop House covers.
9/30/2019	13:36	Center of Outdoor Grow	298	289	2. Outdoor Grow, no hoop houses
9/16/2020	7:16	Harvest Area	75	66	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	7:09	Upwind	9	0	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	7:30	Downwind -500 feet	17	8	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	7:07	Neighborhood	9	0	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	7:18	Neighborhood	8	-1	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	7:37	Neighborhood	10	1	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:12	Harvest Area	106	97	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:00	Upwind	9	0	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:07	Downwind -500 feet	16	7	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:23	Neighborhood	11	2	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:17	Neighborhood	9	0	3. Outdoor grow, no hoop houses, active harvest
9/16/2020	14:01	Neighborhood	12	3	3. Outdoor grow, no hoop houses, active harvest
6/24/2021	8:00	Upwind, Site Perimeter	9	0	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	7:37	On property, Near active Harvest	35	26	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:23	On property, Near active Harvest	21	12	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:13	On property, Near active Harvest	27	18	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:37	On property, downwind property line	163	154	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:48	On property, downwind property line	30	21	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:17	On property, downwind property line	8	-1	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:33	On property, downwind property line	16	7	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:49	Off property, Downwind	13	4	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	9:03	Off property, Downwind	9	0	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	10:49	Harvest Area	3213	3204	4. Outdoor grow, mix of open and hoop house, active harvest
6/24/2021	8:00	Regional Background Sample	8	0	4. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	9:15	Upwind -Spot 1	11	0	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	10:14	Upwind - spot 2	19	0	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	9:51	Downwind -Property fenceline	8	N/A	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	9:41	Downwind -Property fenceline	13	2	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	9:36	Downwind -Property fenceline	63	44	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	9:25	Downwind -Property fenceline	11	0	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	10:00	Downwind -Property fenceline	506	487	5. Outdoor grow, mix of open and hoop house, active harvest
10/11/2021	10:05	Downwind -Property fenceline	149	130	5. Outdoor grow, mix of open and hoop house, active harvest

Paul W. Schafer, CIEC
Vice President, Project Director
SCS's National Expert for Odor Assessments and Ambient Air Monitoring Programs

Biography:

Mr. Paul Schafer is a Vice President and Project Director at SCS Engineers. He is also one of SCS's National Experts for conducting Odor Assessments and Ambient Air Monitoring Programs. He is considered an expert in conducting air quality assessments of specific air toxics, criteria pollutants, as well as odor and odoriferous compounds. Paul directly manages the operation of a laboratory quality olfactometer that meets ASTM and EN methods for odor assessments. In addition, he has developed state of the art measurement techniques for surrogate odor compounds specific to various odor sources. Paul has in-depth experience in interfacing with regulatory agencies regarding the performance of monitoring systems, air sampling networks, and continuous process monitors which are operated for our clientele. He has had direct working experience with several Air Pollution Control Districts, Air Quality Management Districts, the California Air Resources Board, and the EPA.

Paul has provided expert work services on several odor projects in litigation and has also provided expert testimony on one (1) case.

PAUL W. SCHAFER, CIEC, VEE**Education**

B.S. Chemical Engineering, University of California, Santa Barbara

Professional License/Certifications

- ▶ Certified Indoor Environmental Consultant (CIEC #1012011)
- ▶ Climate Action Reserve (CAR) Lead Verifier
- ▶ Certified U.S EPA Method 9 Visible Emissions Evaluator (VEE) (ID # 22868)
- ▶ OSHA HAZWOPER 40-hour Trained (OSHA 29 CFR 1910.120)

**Professional Associations**

- ▶ National Society of Professional Engineers
- ▶ Rocky Mountain Association of Environmental Professionals
- ▶ Air and Waste Management Association

Training Services/ Course Instruction Experience (Select)

- ▶ 2015 - Schafer, Paul W., et. al. "Air Monitoring Tips and Technologies, The Power of Defensible Data", SCS Engineers Client Presentation and Day Course.
- ▶ 2020-present: SCS internal training platform, Sustainable U Series, "Ambient Air, Stack Testing, and Odors" Course.
- ▶ 2022-2023: Asphalt Industry Class, "Perimeter Air Measurements", two separate in person classes.
- ▶ 2010-Present: National Ambient Air Monitoring Conference, Multiple Presentations on Air Monitoring Case Studies.
- ▶ 2009-Present: SCS Environmental Services College, Multiple presentations on Air Monitoring including Quality Assurance (QA) and Quality Control (QC) practices, emerging sensor technologies, and federal reference and equivalency method designations.
- ▶ 2021- SCS Landfill University, Day Course and presentations on "Odor Assessment Methodologies" including odor measurements, surrogate chemical sampling, odor panels, flux assessments and modelling.
- ▶ 2017: Odor Management Conference and Technology Showcase, Day Course and presentations on "Odor Assessments".

Professional Experience

Mr. Schafer is a Vice President and Project Director at SCS Engineers, and is SCS's National Expert for Ambient Air Monitoring Services and Odor Assessment Services. During his technical career at SCS which spans over 21 years, Mr. Schafer has assumed key roles on several nationally significant monitoring efforts. He has in-depth experience in interfacing with regulatory agencies regarding the performance of monitoring systems, source emission tests, and odor assessments. He has had direct working experience with the San Luis Obispo County APCD, San Joaquin Valley APCD, Imperial County APCD, South Coast AQMD, Santa Barbara APCD, San Diego County APCD, California Air Resources Board, EPA Region IX, and the General Services Administration regarding monitoring programs and air quality impact assessments.

Mr. Schafer offers decisive management skills, which contribute to the success of monitoring programs under his purview, including solid cost control and high-quality, defensible technical performance. He has developed close business relationships with manufacturers and vendors in the ambient air quality monitoring field. He managed/continues to manage the following projects:

California Air Resource Board/U.S. EPA - Ambient Monitoring Program for Cities along the California/Mexico Border. Program Manager for a 12 station monitoring network which measured urban baseline impacts for Tijuana and Mexicali, Baja California. Specific tasks include technician management, logistical planning, data review, equipment repairs, and QA/QC oversight. Each network supported criteria pollutant monitoring as well as particulates (PM₁₀), VOCs (TO-14) and air toxics (aldehydes, metals). Recently a new contract was awarded to SCs to install and operate PM_{2.5} samplers and continuous instrumentation in Mexicali, Mexico. (1995-2008 and 2014-2018, 2020-Present)

California State Parks, Oceano Dunes SVRA. Project Manager for the installation, operation and maintenance of air quality and meteorological devices at Oceano Dunes State Vehicle Recreation Area (ODSVRA) in San Luis Obispo County, California. OD SVRA is subject to Rule 1001, *Coastal Dunes Dust Control Requirements (Dust Rule)* by the San Luis Obispo County (SLO) Air Pollution Control District (APCD). The *Dust Rule* requires OD SVRA to, among other things, implement dust reduction activities and assess the reduction in particulate matter (PM₁₀). The 2013-2015 phase of this project is a short-term effort to measure the effectiveness of specific dust control activities at reducing ambient particulate matter. A comprehensive Quality Assurance Project Plan was also developed as part of the project. (2014-present)

Los Angeles World Airports (LAWA) Source Apportionment Study. Mr. Schafer oversaw the design and installation of a multi-station network of ambient air monitors around Los Angeles International Airport. Installation included attainment of permits, procurement of samplers and monitoring hardware, site assessments, equipment integration, as well as calibration. Seasonal collection of multiple data parameters will be used in a source-apportionment modeling study. Paul was directly responsible for the installation and field calibration of all samplers and sensors. He also managed data logging and review of all field data. (2011-2012)

County Sanitation Districts of Los Angeles County. SCS Engineers established and operated a particulate and meteorological monitoring network at the Mesquite Regional Landfill in Imperial County. Paul Schafer authored an extensive monitoring protocol for the landfill, which was accepted by the Imperial County APCD without revision. The network consists of three medium-volume samplers for PM₁₀ as well as one BAM-1020 unit for PM₁₀. These samplers have also been modified in order to accurately measure PM_{2.5} according to EPA protocol and reference methods. The sampling program is supported by a PSD-quality meteorological monitoring station consisting of wind speed, wind direction, and temperature. (2006-2009)

San Joaquin Valley Air Pollution Control District. SCS has designed and installed a complete PSD quality air monitoring station for the SJVAPCD in Madera, CA. All aspects of the installation including design, construction management, permitting, procurement of equipment, and equipment installation and verification were managed by Paul Schafer. Since this original award, SCS has also been contracted to design, build and install air quality monitoring stations in Hanford, Manteca, and Fresno. (2009-2014)

Venoco, Inc. & Beacon West & Freeport McMoran Oil and Gas Operation and maintenance of a PSD and odor monitoring network in support of permit conditions for an offshore and onshore oil and gas recovery program. Continuous air quality measurements include ozone, NO/NO₂/NO_x, THC, TRS, H₂S and SO₂. Meteorological monitoring is also included in the program. (2000-2022)

Publications and Presentations

Schafer, Paul W., et. al. "Quality Assurance Project Plan – Arroyo Grande Oil Field, H₂S and Meteorological Monitoring" SCS Engineers Report to San Luis Obispo County APCD, January, 2016.

Schafer, Paul W., et. al. "Air Monitoring Tips and Technologies, The Power of Defensible Data" SCS Engineers Client Presentation, June 2015.

Schafer, Paul W., et. al. "Quality Assurance Project Plan – Oceano Dunes SVRA" SCS Tracer Environmental Report to California State Parks and San Luis Obispo County APCD, June, 2014 and April, 2015.

Schafer, Paul W., et. al. "Air Monitoring Plan – Blanche Park" SCS Engineers Report to Miami-Dade County Dept. of Environmental Resources Management (DERM), April, 2014.

Schafer, Paul W., et. al. "PSD Monitoring Plan – West Campus" SCS Tracer Environmental Report to Santa Barbara County APCD, January, 2010.

Schafer, Paul W., et. al. "Quality Assurance/Quality Control Program Manual – West Campus/Ellwood Odor" SCS Tracer Environmental Report to Santa Barbara County APCD, February, 2010.

Schafer, Paul W., et. al. "Carpenteria Meteorological Monitoring Site - Quality Assurance/Quality Control Program Manual" SCS Tracer Environmental Report to Santa Barbara County APCD, January, 2009.

Schafer, Paul W., et. al. "Quality Assurance/Quality Control Program Manual – Carpenteria Monitoring Site" SCS Tracer Environmental Report to Santa Barbara County APCD, October, 2008.

Schafer, Paul W., et. al. "Meteorological Monitoring Plan – Carpenteria Gas Plant" SCS Tracer Environmental Report to Santa Barbara County APCD, October, 2008.

Schafer, Paul W., et. al. "PSD Monitoring Plan – Lompoc Oil and Gas Plant – HS&P Monitoring Plan" SCS Tracer Environmental Report to Santa Barbara County APCD, September, 2008.

Schafer, Paul W., et. al. "PSD Monitoring Plan – Lompoc Oil and Gas Plant – Paradise Road Monitoring Plan" SCS Tracer Environmental Report to Santa Barbara County APCD, September, 2008.

Schafer, Paul W., et. al. "PSD Monitoring Plan – Lompoc Oil and Gas Plant – Odor Monitoring Plan" SCS Tracer Environmental Report to Santa Barbara County APCD, September, 2008.

Schafer, Paul W., et. al. "PSD Monitoring Plan – Gaviota Oil Heating Facility – Carpenteria Monitoring Plan" SCS Tracer Environmental Report to Santa Barbara County APCD, September, 2008.

Schafer, Paul W., et. al. "PM-10 Monitoring Protocol for the Mesquite Regional Landfill" SCS Tracer Environmental Report to Imperial County APCD, September, 2007.