

Attachment D

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Errata to Mitigated Negative Declaration, SCH# 2015021091

PORTER ESTATE (TRIO PETROLEUM, INC)
Planning File No. PLN140395

Introduction:

On April 29, 2015, the Monterey County Planning Commission adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, and approved the temporary Use Permit application (PC Resolution No. 15-030) with a 5-4 vote. The Center for Biological Diversity has appealed the action of the Planning Commission. The appellant has raised several contentions regarding the Mitigated Negative Declaration. This errata responds to contentions relating to greenhouse gas emissions and climate change. Specific issues regarding the IS-MND that are raised include:

1. Global Warming Potentials
2. Cumulative Analysis
3. Appropriateness of Thresholds
4. Existing Emissions from Wells

1. Global Warming Potentials

The IS-MND analysis used the global warming potential (GWP) of 23 for methane (CH₄) and 296 for nitrous oxide (N₂O) based on the 2007 Intergovernmental Panel on Climate Change (IPCC) report. This is based on a 100-year time frame, which the California Air Resources Board (CARB) uses and which is the standard state of the practice for CEQA analysis. If the 2013 GWPs are used (CH₄ = 28 and N₂O = 265), overall emissions resulting from the project would change by less than one percent and the threshold would still not be exceeded. See the table below for a summary of emissions using the 2013 GWPs.

Emissions Using 2013 GWPs							
CO2	Mobile			Stationary			
	CO2	CH4	N2O	CO2	CH4	N2O	Total CO2e
<i>Exploration: Total (lbs)</i>	183,352.96	0.14	0.00	1,632,591.20	1,087.80	0.00	1,846,407
<i>Exploration: Total (metric tons)</i>	83.17	0.00	0.00	740.53	0.49	0.00	837.52
<i>Production: Total (lbs)</i>	373,187.23	0.28	0.28	3,120,843.80	184.80	0.00	3,499,289
<i>Production: Total (metric tons)</i>	169.27	0.00	0.00	1,415.59	0.08	0.00	1,587.25
				Threshold (metric tons):			10,000
				Exploration to Exceed Daily Threshold?			No
				Production to Exceed Daily Threshold?			No

2. Cumulative Analysis

Greenhouse gases and climate change are, by definition, cumulative impacts. The vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific

impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355). Thus, the GHG analysis in the IS-MND included a cumulative assessment of GHG emissions.

3. Appropriateness of Thresholds

The project would require an MBUAPCD permit to operate. Land use projects very rarely include any sources that require permits to operate, whereas the majority of this project's emissions result from the operation of equipment that would require permits (flare, extraction system, generator). Therefore, by definition, the project is a stationary source project and the stationary threshold is most appropriate.

The project is within the area regulated by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). MBUAPCD is currently in the process of developing GHG emissions thresholds for evaluating projects under CEQA. According to an informational report from Mike Gilroy, Deputy Air Pollution Control Officer, to the District Board of Directors, MBUAPCD recommends a threshold of 10,000 MT of CO₂E per year for stationary source projects. Prior to development of District thresholds, MBUAPCD had previously recommended use of the adopted SLOAPCD quantitative emissions thresholds. The SLOAPCD threshold for stationary source projects is also 10,000 MT of CO₂E per year, as is the BAAQMD threshold for stationary source projects.

4. Existing Emissions from Wells

The existing on-site wells are idle, and are not anticipated to generate emissions, as they are not being produced. If the wells are currently generating emissions, the net emissions for the proposed project would be decreased, as those existing emissions would be subtracted from the gross emissions associated with the project. Impacts and determination would not be affected.