

CALIFORNIA COASTAL COMMISSION

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RECEIVED**DEC 07 2012****BUREAU OF OCEAN ENERGY MANAGEMENT**

December 5, 2012

Joan Barminski
Bureau of Ocean Energy Management
Pacific OCS Region
770 Paseo Camarillo, CM 215
Camarillo, CA 93010

David Rose
Manager, Environmental Health & Safety
Plains Exploration & Production Company
201 S Broadway Street
Orcutt, CA 93455

RE: Revisions to Platform Hidalgo DPP - Consistency Certification CC-058-12

Dear Ms. Barminski and Mr. Rose:

On November 19, 2012, the California Coastal Commission (Commission) staff received a consistency certification from the Bureau of Ocean Energy Management (BOEM) on behalf of the Plains Exploration & Production Company (PXP) for a revision to the Platform Hidalgo Development and Production Plan (DPP) to include development of the western half NW/4 of Lease OCS-P 0450. The eastern half of lease OCS-P 0450 is already being developed as part of the Point Arguello Unit. This proposal is to drill a maximum of two wells (using existing well slots) to produce oil and gas on the western half of lease OCS-P 0450. In addition to this consistency certification, the Commission also received supplemental information such as an Environmental Evaluation and an analysis of consistency with the California Coastal Management Program (CCMP) to inform our evaluation of the project's conformity with the CCMP, specifically, the resource protection and use policies included in Chapter 3 of the California Coastal Act.

The Commission staff has reviewed your consistency certification and supporting materials and determined that the consistency certification is incomplete and cannot be filed pursuant to Section 930.58 of the Coastal Zone Management Act (CZMA) until the following additional information is provided.

1. Emissions of GHG were not evaluated as part of the original Point Arguello Project proposal. The Environmental Evaluation (Page 91) for this DPP revision concludes that the proposed project will result in an increase in emissions of greenhouse gases (GHG) as compared to existing operations, but that impacts are insignificant because GHG

emissions are less than the Santa Barbara County Air Pollution Control District's (SBCAPCD) significant threshold of 10,000 metric tonnes of CO₂e. PXP estimates 9,175 metric tonnes CO₂e from drilling of the new wells and 63 metric tonnes per year due to ongoing operations (increased fugitive emissions). During the drilling phase, will Platform Hidalgo's total GHG emissions exceed SBCAPCD's threshold? If so, will SBCAPCD require PXP to offset GHG emissions or require other measures to reduce GHG to below the significance threshold? Please describe any SBCAPCD requirements and how and when they would be implemented.

2. As of April 25, 2008, the CCMP has been amended to require filing fees for consistency certifications. The fees for consistency certifications are the same as the fees for coastal development permits (CDPs). Since this project requires a revision to the Platform Hidalgo DPP, it is akin to a material amendment to a CDP. Therefore, please refer to the Coastal Commission's fee schedule (see attachment) to determine the appropriate fee for this project. The material amendment fee is 50% of the fee applicable if the underlying consistency certification were submitted today.

Pursuant to 15 CFR §930.83, the three-month time period for review of this submittal has not begun and will not begin until the Commission staff receives all of the items discussed in this letter. If you need any further assistance or have any additional questions, please contact me at (415) 904-5205.

Sincerely,



ALISON DETTMER
Deputy Director

APPENDIX E

FILING FEE SCHEDULE

(EFFECTIVE JULY 1, 2012)

FEES WILL BE ADJUSTED EACH YEAR ON JULY 1, ACCORDING TO THE CALIFORNIA CONSUMER PRICE INDEX

- Pursuant to Government Code section 6103, public entities are exempt from the fees set forth in this schedule.
- Permits shall not be issued without full payment for all applicable fees. If overpayment of a fee occurs, a refund will be issued. Fees are assessed at the time of application, based on the project as proposed initially. If the size or scope of a proposed development is amended during the application review process, the fee may be changed. If a permit application is withdrawn, a refund will be due only if no significant staff review time has been expended (e.g., the staff report has not yet been prepared). Denial of a permit application by the Commission is not grounds for a refund.
- If different types of development are included on one site under one application, the fee is based on the sum of each fee that would apply if each development were applied for separately, not to exceed \$106,100 for residential development and \$265,250 for all other types of development.
- Fees for after-the-fact (ATF) permit applications shall be five times the regular permit application fee unless the Executive Director reduces the fee to no less than two times the regular permit application fee. The Executive Director may reduce the fee if it is determined that either: (1) the ATF application can be processed by staff without significant additional review time (as compared to the time required for the processing of a regular permit,) or (2) the owner did not undertake the development for which the owner is seeking the ATF permit.
- In addition to the above fees, the Commission may require the applicant to reimburse it for any additional reasonable expenses incurred in its consideration of the permit application, including the costs of providing public notice.
- The Executive Director shall waive the application fee where requested by resolution of the Commission. Fees for green buildings or affordable housing projects may be reduced, pursuant to Section 13055(h) of the Commission's regulations.

**SEE SECTION 13055 OF THE COMMISSION'S REGULATIONS
(CALIFORNIA CODE OF REGULATIONS, TITLE 14)
FOR FULL TEXT OF THE REQUIREMENTS**

I. RESIDENTIAL DEVELOPMENT¹

- De minimis waiver..... \$ 531
- Administrative permit \$ 2,653²

A. Detached residential development

Regular calendar for up to 4 detached, single-family dwelling(s)^{3,4}

- 1,500 square feet or less \$ 3,183/ea
- 1,501 to 5,000 square feet \$ 4,775/ea
- 5,001 to 10,000 square feet \$ 6,366/ea
- 10,001 or more square feet..... \$ 7,958/ea

Regular calendar for more than 4 detached, single-family dwellings^{3,4}

- 1,500 square feet or less \$ 15,915 or \$1,061/ea⁵
whichever is greater
- 1,501 to 5,000 square feet \$ 23,873 or \$1,592/ea⁵
whichever is greater
- 5,001 to 10,000 square feet \$ 31,830 or \$2,122/ea⁵
whichever is greater
- 10,001 or more square feet..... \$ 39,788 or \$2,653/ea⁵
whichever is greater

B. Attached residential development

- 2-4 units \$ 7,958
- More than 4 units \$ 10,610 or \$796/ea⁶
whichever is greater

C. Additions or improvements

If not a waiver or an amendment to a previous coastal development permit, the fee is assessed according to the schedule in A. above (i.e., based on the calendar and/or size of the addition, plus the grading fee, if applicable).

If handled as an amendment to a previous coastal development permit, see Amendments (in Section III.F).

¹ Additional fee for grading applies. (See Section III.A of this fee schedule.)

² Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

³ "Square footage" includes gross internal floor space of main house and attached garage(s), plus any detached structures (e.g., guest houses, detached bedrooms, in-law units, garages, barns, art studios, tool sheds, and other outbuildings).

⁴ For developments that include residences of different sizes, the fee shall be based upon the average square footage of all the residences.

⁵ Not to exceed \$106,100.

⁶ Not to exceed \$53,050.

II. OFFICE, COMMERCIAL, CONVENTION, INDUSTRIAL (INCLUDING ENERGY FACILITIES), AND OTHER DEVELOPMENT NOT OTHERWISE IDENTIFIED IN THIS SECTION^{7,8,9}

A. Based on Gross Square Footage

| | | |
|---|--------------------------|-----------|
| 1,000 square feet (gross) or less | <input type="checkbox"/> | \$ 5,305 |
| 1,001 to 10,000 square feet (gross) | <input type="checkbox"/> | \$ 10,610 |
| 10,001 to 25,000 square feet (gross) | <input type="checkbox"/> | \$ 15,915 |
| 25,001 to 50,000 square feet (gross) | <input type="checkbox"/> | \$ 21,220 |
| 50,001 to 100,000 square feet (gross) | <input type="checkbox"/> | \$ 31,830 |
| 100,001 or more square feet (gross)..... | <input type="checkbox"/> | \$ 53,050 |

B. Based on Development Cost¹⁰

| | | |
|---|--------------------------|------------|
| Development cost up to and including \$100,000..... | <input type="checkbox"/> | \$ 3,183 |
| \$100,001 to \$500,000 | <input type="checkbox"/> | \$ 6,366 |
| \$500,001 to \$2,000,000 | <input type="checkbox"/> | \$ 10,610 |
| \$2,000,001 to \$5,000,000..... | <input type="checkbox"/> | \$ 21,220 |
| \$5,000,001 to \$10,000,000..... | <input type="checkbox"/> | \$ 26,525 |
| \$10,000,001 to \$25,000,000..... | <input type="checkbox"/> | \$ 31,830 |
| \$25,000,001 to \$50,000,000..... | <input type="checkbox"/> | \$ 53,050 |
| \$50,000,001 to \$100,000,000..... | <input type="checkbox"/> | \$ 106,100 |
| \$100,000,001 or more | <input type="checkbox"/> | \$ 265,250 |

III. OTHER FEES

A. Grading¹¹

| | | |
|--------------------------------------|--------------------------|-----------|
| 50 cubic yards or less | <input type="checkbox"/> | \$ 0 |
| 51 to 100 cubic yards | <input type="checkbox"/> | \$ 531 |
| 101 to 1,000 cubic yards | <input type="checkbox"/> | \$ 1,061 |
| 1,001 to 10,000 cubic yards | <input type="checkbox"/> | \$ 2,122 |
| 10,001 to 100,000 cubic yards | <input type="checkbox"/> | \$ 3,183 |
| 100,001 to 200,000 cubic yards | <input type="checkbox"/> | \$ 5,305 |
| 200,001 or more cubic yards..... | <input type="checkbox"/> | \$ 10,610 |
| | <input type="checkbox"/> | \$ 3,183 |

⁷ The fee shall be based on either the gross square footage or the development cost, whichever is greater.

⁸ Additional fee for grading applies. (See section III.A of this schedule).

⁹ Pursuant to section 13055(a)(5) of the Commission's regulations, this category includes all development not otherwise identified in this section, such as seawalls, docks and water wells.

¹⁰ Development cost includes all expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission's jurisdiction.

¹¹ The fee for grading is based on the cubic yards of cut, plus the cubic yards of fill.

| | | |
|--|--------------------------|--|
| C. Subdivision ¹³ | | |
| Up to 4 new lots | <input type="checkbox"/> | \$ 3,183/ea |
| More than 4 new lots..... | <input type="checkbox"/> | \$ 12,732 plus \$1,061 for each lot above 4 |
| D. Administrative permit..... | <input type="checkbox"/> | \$ 2,653 ¹⁴ |
| E. Emergency permit | <input type="checkbox"/> | \$ 1,061 ¹⁵ |
| F. Amendment | | |
| Immaterial amendment | <input type="checkbox"/> | \$ 1,061 |
| Material amendment | <input type="checkbox"/> | \$ _____ |
| [50% of fee applicable to underlying permit if it were submitted today] | | (calculate fee) |
| G. Temporary event which requires a permit pursuant to Public Resources Code section 30610(i) | | |
| If scheduled on administrative calendar..... | <input type="checkbox"/> | \$ 1,061 |
| If not scheduled on administrative calendar..... | <input type="checkbox"/> | \$ 2,653 |
| H. Extension ¹⁶ and Reconsideration | | |
| Single-family residence | <input type="checkbox"/> | \$ 531 |
| All other development | <input type="checkbox"/> | \$ 1,061 |
| I. Request for continuance | | |
| 1st request..... | <input type="checkbox"/> | No charge |
| Each subsequent request (where Commission approves the continuance) | <input type="checkbox"/> | \$ 1,061 |
| J. De minimis or other waivers | <input type="checkbox"/> | \$ 531 |
| K. Federal Consistency Certification ¹⁷ [The fee is assessed according to sections I, II, and III, above]..... | <input type="checkbox"/> | \$ _____ |
| L. Appeal of a denial of a permit by a local government ¹⁸ [The fee is assessed according to sections I, II, and III, above] | <input type="checkbox"/> | \$ _____ |
| M. Written Permit Exemption..... | <input type="checkbox"/> | \$ 265 |
| N. Written Boundary Determination | <input type="checkbox"/> | \$ 265 |

¹² A lot line adjustment is between adjoining parcels where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created.

¹³ The fee is charged for each parcel created in addition to the parcels that originally existed.

¹⁴ Additional fee will apply if the project is removed from the Administrative Calendar and rescheduled on the Regular Calendar.

¹⁵ The emergency application fee is credited toward the follow-up permit application fee.

¹⁶ If permit extension is objected to by the Commission and the application is set for a new hearing, then a new application fee is required, based on type of development and/or applicable calendar.

¹⁷ Fees for federal consistency items will be assessed now that the Commission has received approval from NOAA to amend the California Coastal Management Program.

¹⁸ Pursuant to Public Resources Code section 30602 or 30603(a)(5).

O. Coastal Zone Boundary Adjustment..... \$ 5,305

| | |
|-----------------|----|
| TOTAL SUBMITTED | \$ |
|-----------------|----|

TO BE COMPLETED BY STAFF

| | | |
|--|--|---|
| SUBMITTED FEE VERIFIED BY: | DATE: | |
| IS SUBMITTED AMOUNT CORRECT? | | |
| <input type="checkbox"/> Yes. Applicant has correctly characterized the development, and payment is appropriate. | <input type="checkbox"/> Applicant did not fill out form, thus staff has marked the form to compute the fee, and applicant has paid fee. | <input type="checkbox"/> No. Why? _____ |
| REFUND OR ADDITIONAL FEE REQUIRED? (STATE REASON) | | |
| <input type="checkbox"/> Refund amount | (_____) | |
| <input type="checkbox"/> Additional fee amount | (_____) | |
| REMINDER: RECORD FEE PAYMENT IN PERMIT LOG | | |
| FINAL FEE VERIFIED BY: (TO BE COMPLETED <u>AFTER</u> COMMISSION ACTION) | DATE: | |