



November 20, 2019

Ms. Kathy Pfeifer, Planner
Santa Barbara County
Planning & Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Governor's Office of Planning & Research

NOV 22 2019

STATE CLEARINGHOUSE

Dear Ms. Pfeifer:

SCH # 2018071002 STRAUSS WIND ENERGY PROJECT

The Division of Oil, Gas and Geothermal Resources (Division) appreciates the opportunity to submit comments on the Strauss Wind Energy Project. The Division has reviewed and provided a comment on July 18, 2018 and May 21, 2019 regarding the Strauss Wind Energy Project. Please see the previous comments (enclosed).

Thank you for considering the Division's comments. If you have any questions, please contact our district office at (805) 937-7246 or via email at DOGGRCoastal@conservation.ca.gov.

Sincerely,

Patricia A. Abel
Coastal District Deputy

cc: State Clearinghouse
OLRA, Christine Hansen
CEQA Unit
DOGGR Coastal, Zack Nelson
CSWR File
Chrono



May 20, 2019

Ms. Kathy Pfeifer, Planner
Santa Barbara County
Planning & Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Pfeifer:

SCH # 2018071002 STRAUSS WIND ENERGY PROJECT

The Division of Oil, Gas and Geothermal Resources (Division) appreciates the opportunity to submit comments on the Strauss Wind Energy Project. The Division has reviewed and provided a comment on July 18, 2018 regarding the Strauss Wind Energy Project. In addition to the previous comment (enclosed) please see the below comment for revised language.

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Items that can affect well access include, but are not limited to, buildings, housing, permanent equipment, infrastructure, fencing, hardscape, landscape, trees, pools, patios, sidewalks, roadways, parking lots, waterways or channels, and decking. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access.

There are no guarantees a well abandoned in compliance with current Division requirements will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current standards have a lower probability of leaking in the future, however there is no guarantee that such abandonments will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

Failure to plug and re-abandon a well may result in enforcement action, including an order to perform re-abandonment well work, pursuant to PRC § 3208.1, and 3224.

PRC § 3208.1 gives the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. **The property owner** - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
2. **The person or entity causing construction over or near the well** - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. **The party or parties responsible for disturbing the integrity of the abandonment** - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

To view PRC § 3208.1 in its entirety, please visit:
<https://www.conservation.ca.gov/index/Documents/DOGGR-SR-1%20Web%20Copy.pdf>

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring written approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other abandonment or re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has jurisdictional authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources, damage to underground oil, gas, and geothermal deposits, and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities any wells are encountered that were not part of this review, a Division engineer in the Coastal District - Orcutt office is to be notified immediately, and an amended site plan with well casing diagrams for Division review shall be filed. After appropriate review, the District office will send a follow-up well evaluation letter to the property owner, applicant, and local permitting agency.

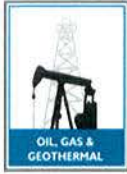
Thank you for considering the Division's comments. If you have any questions, please contact our district office at (805) 937-7246 or via email at DOGGRCoastal@conservation.ca.gov.

Sincerely,



Patricia A. Abel
Coastal District Deputy

cc: State Clearinghouse
OLRA, Christine Hansen
✓ CEQA Unit
DOGGR Coastal, Zack Nelson
CSWR File
Chrono



Department of Conservation
Division of Oil, Gas, and Geothermal Resources
Coastal District - Orcutt
195 South Broadway • Suite 101
Orcutt, CA 93455
(805) 937-7246 • FAX (805) 937-0673

July 18, 2018

Ms. Kathy Pfeifer, Planner
Santa Barbara County
Planning & Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Dear Ms. Pfeifer:

SCH # 2018071002 STRAUSS WIND ENERGY PROJECT

The Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the Notice of Preparation for the Strauss Wind Energy Project. The Division has no jurisdiction or statutory responsibility for the project. The Division is mandated by Section 3106 of the Public Resources Code to supervise the drilling, operation, maintenance, and abandonment of oil and gas wells. This is for the purposes of preventing: 1) damage to life, health, property, and natural resources; 2) damage to underground and surface waters suitable for irrigation or domestic use; 3) loss of oil, gas, or reservoir energy; and 4) damage to oil and gas deposits by infiltration of water and other causes.

The Division of Oil, Gas, and Geothermal Resources (Division) possesses records regarding oil and gas, and geothermal wells drilled and operated in the State of California. (Cal. Public Res. Code, §§ 3215, and 3126 and Cal. Code of Regulations §§ 1937.1, and 1950.) The Division provides the information below to facilitate local permitting agencies' exercise of local land use authority regarding use of land where oil and gas, and geothermal wells are situated. In contrast, the Division does not possess local land use decision authority, but alternatively has authority for permitting any necessary work on any well in the State. (Cal. Public Res. Code, §§ 3106 and 3203, and Cal. Code of Regulations §§1931, 1931.1, 1931.2, 1963, 1964 and 1981.)

The Division has record of four wells that are located within or in close proximity to the estimated project boundary and transmission corridor. Those wells are identified as oil and gas well Chieftan Oil Co. & Chieftan-Larsen Bros. "Chieftan Larsen Bros" 1 (API 08304335), Rothschild Oil Company "Sacramento-J.M." 1 and 2 (API 08304524 and 08302626), and Marathon Oil Company Well 1 (API 08304510). The following map shows the approximate location of the wells. Well records are available on our Division website (<https://secure.conservation.ca.gov/WellSearch/>). While the enclosed map shows the general well location, precise measurements are provided in the well histories found online. The oil and gas well may have been plugged to meet the standards applicable at the time, however may not meet current Division regulations.

In general, a well may be considered adequately abandoned when both the record review and on-site evaluation process reflect that steps have been taken to isolate all oil or gas-bearing, or geothermal bearing strata encountered in the well, and to protect underground or surface water suitable for irrigation or farm or domestic purposes from the infiltration or addition of any

detrimental substance, and to prevent damage to life, health, property, and other resources. (Cal. Public Res. Code, § 3208.)

The Division offers the following information as it pertains to wells within its jurisdiction:

1. It is recommended that access to any well located on a property be maintained in the event abandonment or re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to features such as buildings, housing, wind machines, pipelines, fencing, landscaping, trees, pools, patios, sidewalks, and decking. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.
2. Nothing guarantees that wells abandoned to current standards will not start leaking oil, gas, and/or water in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells that are presently abandoned to current standards have a lower probability of leaking oil, gas, and/or water in the future, but makes no guarantees as to the adequacy of the abandonment or the potential need for future re-abandonment.
3. While Division records indicate that the oil and gas well was never classified as commercially productive, the Division recommends that any soil containing significant amounts of hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.
4. No well work may be performed on any geothermal or oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings, and/or any other re-abandonment work. (NOTE: The Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)
5. The Division has determined that the plugged oil and gas well in its current condition is not properly abandoned to current standards and requires additional work to be in compliance with current Division regulations and authority.
6. Activity consistent with oil development include construction of oil sumps, storage tanks, pipelines or other infrastructure, commonly associated with oil production, which may have impacted the site. Also, equipment attendant to oilfield operations may be encountered during excavation of the area around plugged wells.

7. If during development activities, any wells are encountered that were not part of this review, the City shall immediately notify an engineer with the Division's Coastal District Orcutt office. Remedial plugging and abandonment operations may be required. Additionally, a plot plan showing the location of the proposed pipeline relative to the well locations would be required.
8. The Division advises all parties not to undertake construction that could prevent or impede access to the well.

As Cal. Public Res. Code, § 3208.1, subdivision (b)(1), indicates, if the Strauss Wind Energy Project plans to construct improvements on the property that would prevent or impede access to the well(s), reentry of the well(s) for the purposes of upgrading the plugging and abandonment condition is the responsibility of the project applicant. This Division may order the plugging and abandonment of the well(s) and the Division is not responsible for abandonment operations.

Again, the Division does not recommend that any structures, such as wind machines or transmission lines be built that would impede access to the plugged and abandoned well. It is suggested that the wells be unearthed, their locations GPS and that information be supplied to the Division, and the wells be tested for leakage.

Should you have any questions regarding the wells during your planning process, please do not hesitate to contact our office.

Sincerely,



Patricia A. Abel
Coastal District Deputy

Enclosure

cc: Well File
State Clearinghouse
Tim Shular, OGER
Crina Chan, OGER
Jan Perez, CEQA Unit

MAP OF THE PROJECT AND SURROUNDING AREA

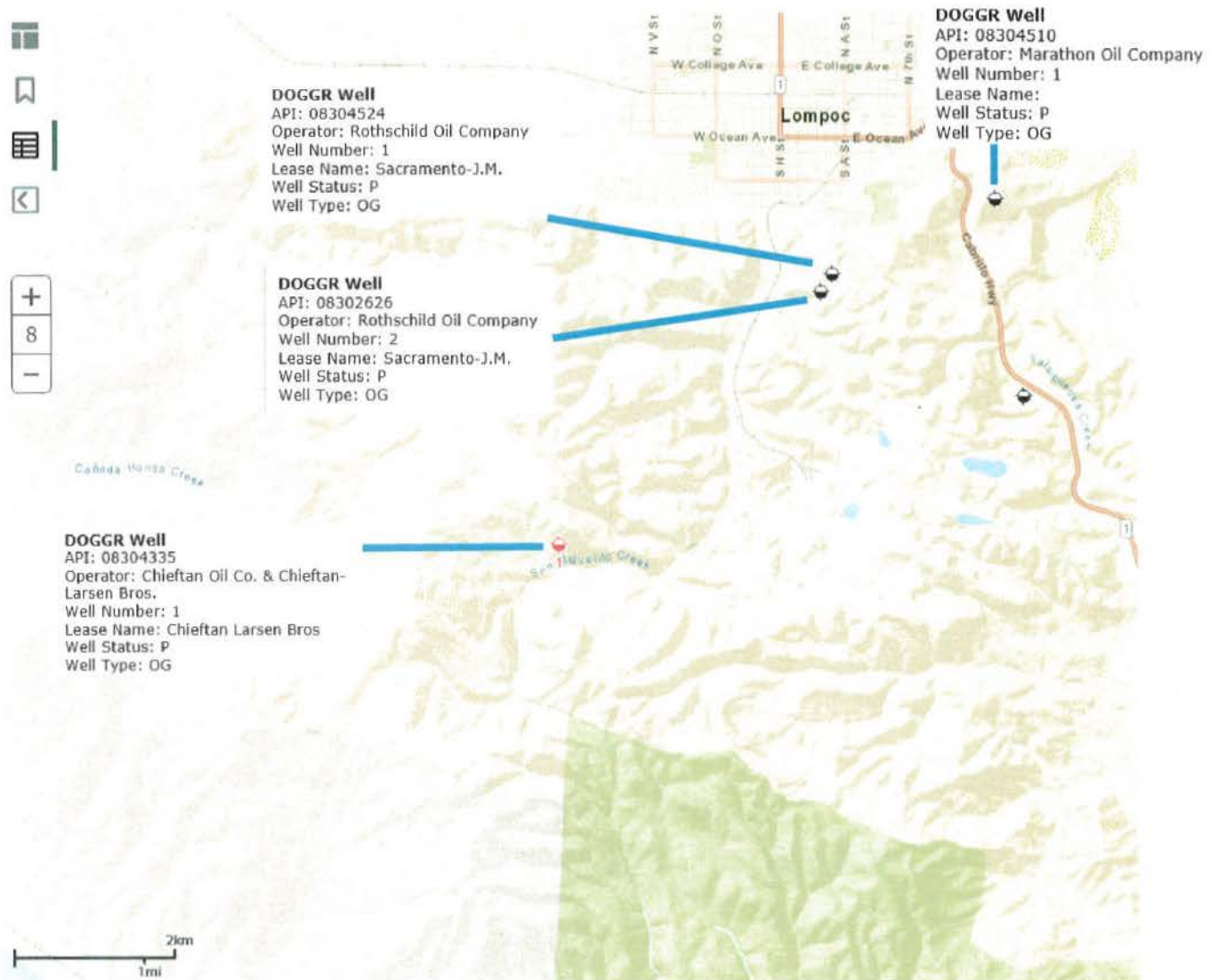


Image from the Division of Oil, Gas, and Geothermal Resources Online Well Finder application showing the proximity of plugged and abandoned exploratory oil and gas wells within or in close proximity to the Strauss Wind Energy Project