



November 21, 2019

VIA U.S. MAIL AND EMAIL

Governor's Office of Planning & Research

Darren Nash, City Planner
City of Paso Robles, Development Center
1000 Spring Street
Paso Robles, CA 93446-2599

NOV 21 2019

STATE CLEARINGHOUSE

Dear Mr. Nash,

SCH # 2019011065 OLSEN/SOUTH CHANDLER RANCH SPECIFIC PLAN PROJECT
ENVIRONMENTAL IMPACT REVIEW (EIR), CITY OF PASO ROBLES

The Division of Oil, Gas, and Geothermal Resources (Division) provided a comment letter dated February 13, 2019 in response to the above referenced project's Notice of Preparation (NOP) (enclosure). The Division's comments were not responded to or addressed in the draft EIR.

The Division identified one known oil, gas, or geothermal well located within the project boundary (Oryx Energy Company "Harper" 1, API 079-00497) abandoned February 2, 1949. The Division advised the permitting agency that this well was not abandoned to current Division standards and requires re-abandonment due to the proposed development.

The Division's recommendations pertaining to well "Harper" 1 remain the same as outlined in the February 13, 2019 NOP letter. These recommendations are summarized below:

- Locate and survey the well
- Test the well for liquid and/or gas leakage
- Re-abandon the well
- Do not build over the well or in any way impede access to the well

The Division also provides the following comment on Draft EIR Section 4.6 – Energy. The analysis regarding active, idle, or former oil production wells in Paso Robles is not the opinion of the Division. Our records indicate there are plugged and abandoned oil and gas wells, active geothermal wells, and occurrences of both hydrocarbons and geothermal resources in the Paso Robles Area Sub-basin.

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,

A handwritten signature in blue ink, appearing to read 'Patricia A. Abel'.

Patricia A. Abel
Coastal District Deputy

Enclosure

cc: State Clearinghouse
OLRA, Christine Hansen/Vanessa Adame/Naveen Habib
CEQA, Jan Perez
CEQA – Unit
CSWR File
Chrono
Well File



February 13, 2019

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Paso Robles, CA 93446-2599

RECEIVED
2/13/19
City of Paso Robles
Community Development Dept.

Dear Mr. Nash,

SCH # 2019011065 OLSEN/SOUTH CHANDLER RANCH SPECIFIC PLAN PROJECT NOTICE OF PREPARATION, CITY OF PASO ROBLES

The Division of Oil, Gas, and Geothermal Resources (Division) appreciates the opportunity to submit comments on the Olsen/South Chandler Ranch Specific Plan Project (Project).

The Division of Oil, Gas, and Geothermal Resources (Division) authority is set forth in Division 3 of the Public Resources Code (PRC), and Title 14 of the California Code of Regulations (CCR). PRC § 3208.1 establishes well re-abandonment responsibility when a previously plugged and abandoned well may be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, or geothermal wells.

The Division has received and reviewed the Notice of Preparation for the above referenced Project, dated January 28, 2019. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The Project is in San Luis Obispo county, outside of any recognized oil, gas or geothermal field boundaries. Our records indicate there is **one** known oil, gas, or geothermal well located within the Project boundary.

The well listed below is not plugged and abandoned to current Division requirements as prescribed by law, and based upon information provided, plots where proposed construction may impede access to the well. **It is the opinion of the Division that this well requires abandonment or re-abandonment.**

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Well	Status
Oryx Energy Company	The record review process shows that the subject well is not plugged and abandoned consistent with current PRC and CCR requirements as of February 13, 2019.
"Harper" 1	
API 079-00497	Based on well records:
Abandoned: 2-7-1949	<ol style="list-style-type: none">1. Base of freshwater plug is inadequate (CCR § 1723.2).2. Casing shoe plug is not present (CCR § 1723.3).3. Surface plug is not present (CCR § 1723.5).

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, 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:

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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:

<ftp://ftp.consrv.ca.gov/pub/oil/laws/PRC10.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:

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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/Vanessa Adame/Naveen Habib

CEQA, Jan Perez

CEQA - Unit

CSWR File

Chrono

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