



April 25, 2019

Governor's Office of Planning & Research

APR 25 2019

STATE CLEARINGHOUSE

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CEQA Project: **SCH # 2019049002**  
Lead Agency: **Contra Costa County Department of Conservation and Development**  
Project Title: **Lower Marsh Creek Stream Corridor Restoration Program**

The Division of Oil, Gas, and Geothermal Resources (Division) oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. Our regulatory program emphasizes the wise development of oil, natural gas, and geothermal resources in the state through sound engineering practices that protect the environment, prevent pollution, and ensure public safety. Northern California is known for its rich gas fields. Division staff have reviewed the documents depicting the proposed project.

The Lower Marsh Creek Stream Corridor Restoration Program (Program) is a creek restoration and flood risk reduction program proposed by the Contra Costa County Flood Control and Water Conservation District ("District") and others. The program involves work within the area along Marsh Creek from Balfour Road in Brentwood to the Contra Costa Canal in Oakley just north of Cypress Road, Sand Creek from Highway 4 in Brentwood to its confluence with Marsh Creek in Brentwood, and Deer Creek from the Deer Creek Detention Basin in Brentwood to its confluence with Marsh Creek in Brentwood. The goal of the Program is to incentivize willing landowners and developers to work with the District and other local partners to improve Marsh, Deer, and Sand Creeks to provide:

- 1) Improved habitat conditions for fish, birds, reptiles, and amphibians by providing a mosaic of riparian, floodplain, wetland, and aquatic habitat types,
- 2) Expanded channel capacity to meet or exceed flood channel conveyance capacity,
- 3) Improved local water quality by shading the creek and reducing mobilization of fine sediments, and
- 4) Improved public recreational opportunities.

All work will be conducted within stream setbacks of 75 feet on Marsh Creek and 50 feet on Deer and Sand Creeks. These setbacks are calculated from the

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existing top of bank for each watercourse. Thus, it is our understanding that most, if not all, excavation would take place within the exiting stream channels.

**The attached map shows locations of twenty-four (24) known abandoned wells adjacent to the project channels. Based on the Program map submitted by DWR, only six of these wells are within 100 feet of the stream channels. The other are greater distances and unlikely to be impacts by the proposed work. Note that the Division has not verified the actual location of the wells nor does it make specific statements regarding the adequacy of abandonment procedures with respect to current standards. Most wells were cut off five (5) or more feet below grade at the time of abandonment.**

**For future reference, you can review wells located on private and public land at the Division's website: <https://maps.conservation.ca.gov/doggr/wellfinder/#close> .**

The local permitting agencies and property owner should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments and are provided by the Division for consideration by the local permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis. As stated above, the Division provides the above well review information solely to facilitate decisions made by the local permitting agency regarding potential development near a gas well.

1. It is recommended that access to a well located on the property be maintained in the event 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, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, and decking.
2. Nothing guarantees that a well 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 that wells 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 this well's abandonment or the potential need for future re-abandonment.

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3. Based on comments **1** and **2** above, the Division makes the following general recommendations:

a. Maintain physical access to any gas well encountered.

b. Ensure that the abandonment of gas wells is to current standards.

If the local permitting agency, property owner, and/or developer chooses not to follow recommendation "b" for a well located on the development site property, the Division believes that the importance of following recommendation "a" for the well located on the subject property increases. If recommendation "a" cannot be followed for the well located on the subject property, then the Division advises the local permitting agency, property owner, and/or developer to consider any and all alternatives to proposed construction or development on the site (see comment **4** below).

4. Sections 3208 and 3255(a)(3) of the Public Resources Code give the Division the authority to order the re-abandonment of any well that is hazardous, or that poses a danger to life, health, or natural resources. Responsibility for re-abandonment costs for any well may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general recommendations set forth in this letter. (Cal. Public Res. Code, § 3208.1.)
5. Maintaining sufficient access to a 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.
6. If, during the course of development of this proposed project, any unknown well(s) is/are discovered, the Division should be notified immediately so that the newly-discovered well(s) can be incorporated into the records and investigated. The Division recommends that any wells found in the course of this project, and any 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. This is to ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells.

No well work may be performed on any oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to,

CEQA Project: SCH # 2019049002

Lead Agency: Contra Costa County Department of Conservation and Development

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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.)

Sincerely,

DocuSigned by:

*Charlene L Wardlow*

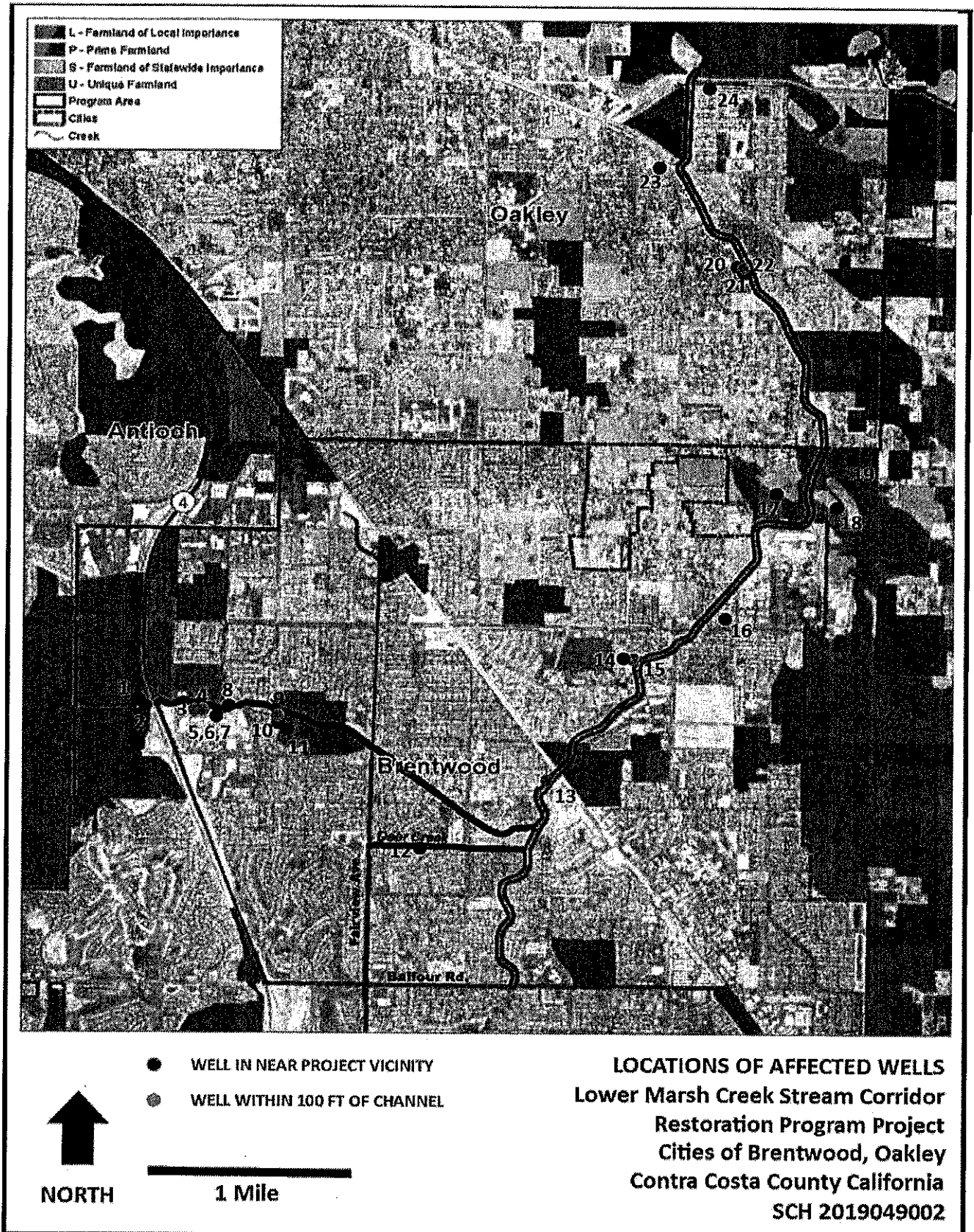
Charlene L Wardlow

Northern District Deputy

Attachments: Map  
Well List

cc: Claudia Gemberling  
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CEQA Project: SCH # 2019049002

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**HIGHLIGHTED WELLS ARE THOSE WITHIN APPROXIMATELY 100 FT OF CHANNELS**

Wells Located Near the Project Area, Lower Marsh Creek Stream Corridor Restoration Program Project, Lower Marsh Creek Stream Corridor							
API Number	Map Number	Well Name	Operator Name	Well Plug Date	Well Type	Latitude	Longitude
0401300052	1	Maggiola-Capital Co. #13-10	Occidental Petroleum Co.	1992	Oil, Gas	37.948323	-121.744825
0401300051	2	Maggiola-Capital Co. #11-10	Occidental Petroleum Co.	1981	Oil, Gas	37.948083	-121.744445
040132008	3	Transamerica-Maggiola #1	Allied Energy Corp.	2003	Oil, Gas	37.947457	-121.739664
0401300052	4	Transamerica-Maggiola #2	Allied Energy Corp.	2013	Oil, Gas	37.947472	-121.739419
0401300601	5	Unknown Conductor 2007-1	Unknown	2007	Conductor only	37.946656	-121.738055
0401300601	6	Andrade #1	Marla L. Andrade	2007	Oil	37.946633	-121.737965
0401320032	7	Andrade #3	Marla L. Andrade	2007	Oil	37.946628	-121.737778
0401320038	8	R. Carlisle #1	J.L. Davis	1981	Oil	37.947643	-121.738745
0401320349	9	Sunset Cabo 1-11	Production Specialties Company	1991	Oil, Gas	37.946718	-121.732115
0401320337	10	Sunset Castello 1-11D	Sunset Exploration, Inc.	2011	Gas	37.946366	-121.732096
0401320188	11	Sandhill #1	Venada National	1982	Dry Hole	37.945883	-121.731475
0401300257	12	L & W #2-14	Shell Western E&P	1962	Dry Hole	37.936753	-121.718564
0401320167	13	Dianda #1	Clarion Res. Inc.	1981	Dry Hole	37.942013	-121.707074
0401320097	14	Marsh Creek Unit #2	Coonoco Inc.	1975	Dry Hole	37.951763	-121.699824
0401320087	15	Marsh Creek Unit #1	Coonoco Inc.	1988	Gas	37.951793	-121.698984
0401320223	16	NGC-Kysh #1	Western Continental Operating Company	1996	Gas	37.955293	-121.691824
0401320379	17	Burcio-Mori #1-6	Sunset Exploration, Inc.	2009	Dry Hole	37.965279	-121.687418
0401320301	18	Geddes- Knightsen #1	Horizon Operating Co.	1995	Dry Hole	37.964247	-121.681944
0401320262	19	Geddes #1	Atlantic Oil Company	1986	Dry Hole	37.968175	-121.680435
0401320210	20	Loo #2	Atlantic Oil Company	1987	Gas	37.982992	-121.690904
0401320257	21	Loo #3	Atlantic Oil Company	1985	Gas	37.982632	-121.690454
0401320169	22	Loo #1	Atlantic Oil Company	1987	Gas	37.982932	-121.690074
0401320260	23	Domingo 25-1	Arkoma Production Company of California	1986	Dry Hole	37.990882	-121.698525
0401320191	24	Williamson # 1	Atlantic Oil Company	1983	Dry Hole	37.997162	-121.693935