



California
Department of Conservation
Division of Oil, Gas, and Geothermal Resources

Gavin Newsom, Governor
David Bunn, Director

April 24, 2019

State Clearinghouse
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Sacramento, CA 95812-3044

Governor's Office of Planning & Research

APR 26 2019

STATE CLEARINGHOUSE

CEQA Project: **SCH #2019049008**
Lead Agency: **City of Brentwood**
Project Title: **Vineyards at Deer Creek Project**

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 approximately 815-acre Vineyards at Deer Creek Project site (Project) is located southwest of the City of Brentwood, in unincorporated Contra Costa County; north of Balfour Road, east of Deer Valley Road, and west of the westerly City limits. The Project is a proposed residential community of up to 2,400 residential units. The Project site is currently located outside of the City of Brentwood's city limit lines. A centrally-located community recreation center will serve as the focal point to the community and include a variety of indoor and outdoor recreation amenities. Located adjacent to Balfour Road and Deer Valley Road, an approximately 20-acre commercial/civic area is envisioned for civic events and functions. Approximately 225 acres of permanently established agricultural and open space land use areas will be included. These areas will include extensive areas of vineyards, olive groves, and open space.

The attached map shows locations of seven (7) known abandoned wells, two (2) active gas-producing wells, and two abandoned former injector wells within the Project area. Based on the Project map supplied, several of the wells appear to be located in roadways or in areas projected to be open space.

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These could be impacted by construction of roadways if excavation were to exceed 5 feet.

However, four (4) wells near the northwest corner of the proposed development are located in areas which appear to be within or adjacent to areas designated as residential parcels. These include two active gas-producing wells and two permitted wells for which the permits were cancelled. 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.
3. Based on comments 1 and 2 above, the Division makes the following general recommendations:
 - a. Maintain physical access to any gas well encountered.

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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, 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

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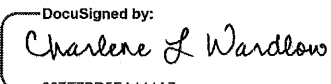
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1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

Sincerely,

DocuSigned by:



067E7BD5EA114A7
Charlene L Wardlow

Northern District Deputy

Attachments: Map
Well locations

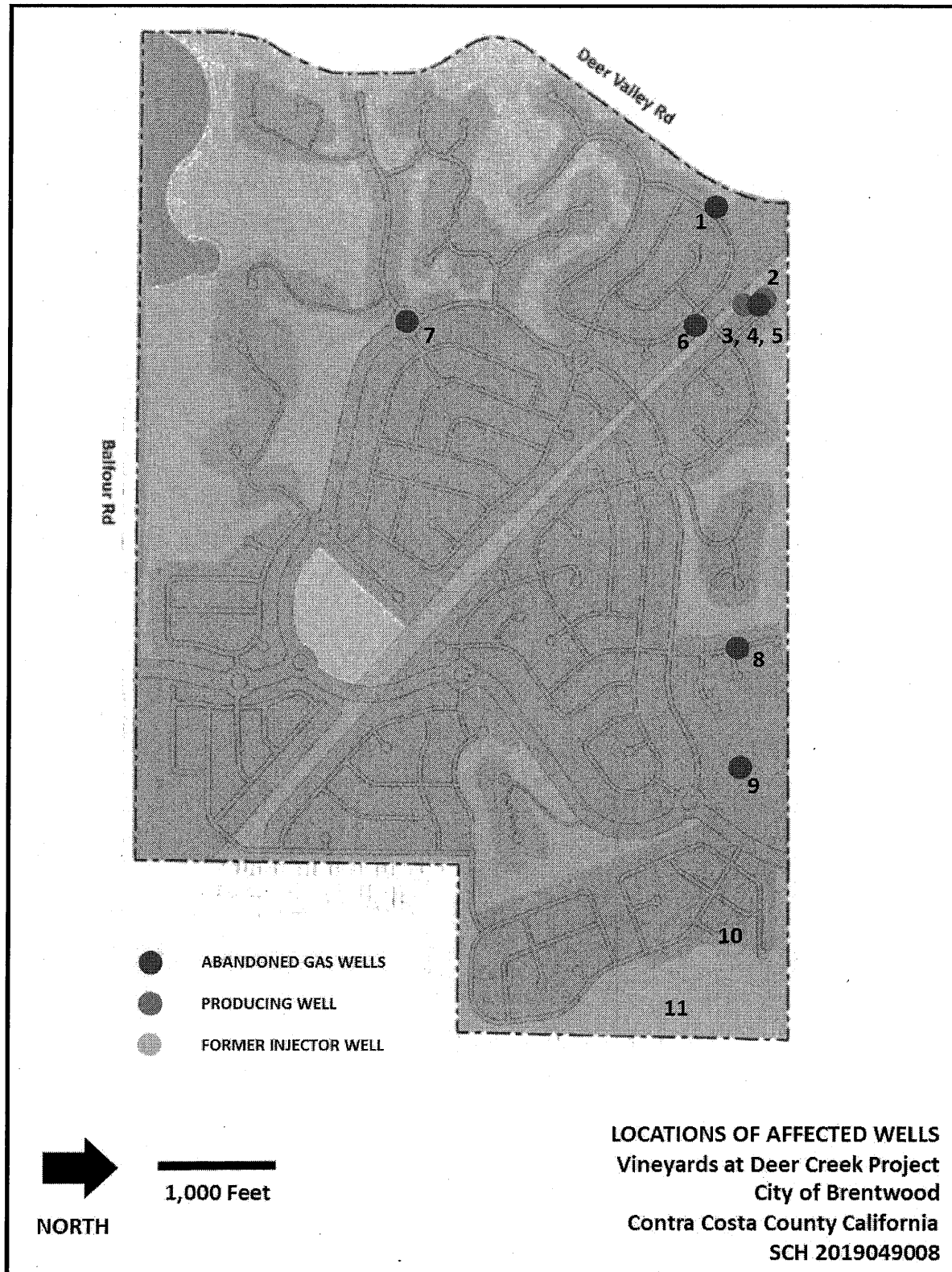
cc: Erik Nolthenius

enolthenius@brentwood.ca.gov

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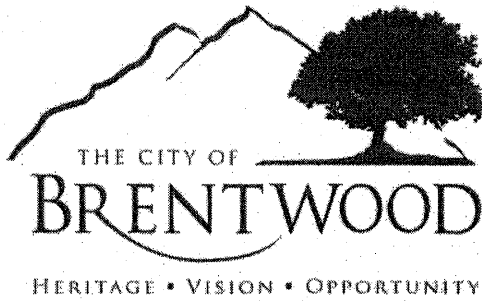
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Well locations

Wells Located Within the Vineyards at Deer Creek Project Area							
API Number	Map Number	Well Name	Operator Name	Total Depth	Well Plug Date	Well Type	Latitude
0401320268	1	Ginochio #1	Venturini Associates Inc.	4337	1990	Gas	37.938083
0401320385	2	Venturini-Ginochio # 4	Temporary Energy, LLC	4500	Active	Gas (2019)	37.939119
0401320382	3	Venturini-Ginochio #3	Orchard Exploration & Production			Cancelled	37.939077
0401320384	4	Venturini-Ginochio #3	Temporary Energy, LLC	4600	Active	Gas (2018)	37.939077
0401320383	5	Venturini-Ginochio #3	Orchard Exploration & Production			Cancelled	37.939075
0401320271	6	Venturini-Ginochio #2	Venturini Associates Inc.	4300	1993	Oil	37.938883
0401300025	7	Ginochio #85-17	Occidental Petroleum Corporation	4483	1963	Dry Hole	37.931433
0401300037	8	Ginochio #1-13	Occidental Petroleum Corporation	4535	1992	Oil, Gas	37.938503
0401300042	9	Ginocio-Schellenberger #21-16	Shell Western E&P Inc.	4780	1963	Dry Hole	37.938543
0401300040	10	Ginocio-Schellenberger #2-16	Occidental Petroleum Corporation	4746	1993	Injector	37.937933
0401300043	11	Ginocio-Schellenberger #22-16	Occidental Petroleum Corporation	4500	1991	oil, gas to injector	37.936843



Notice of Preparation Vineyards at Deer Creek Environmental Impact Report

Date: April 2, 2019

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Organization and Interested Persons

Lead Agency City of Brentwood
Community Development Department
150 City Park Way
Brentwood, CA 94513
Attn: Mr. Erik Nolthenius, Planning Manager

Summary

The City of Brentwood, as lead agency, has determined that an Environmental Impact Report (EIR) is required to evaluate the physical environmental effects of the proposed Vineyards at Deer Creek Project ("Project" or "proposed project"). This programmatic EIR will address the environmental impacts associated with the adoption and implementation of the proposed project. Information regarding the project description, project location, public outreach process, and topics to be addressed in the Draft EIR is provided below.

The City has prepared this Notice of Preparation (NOP) to provide Responsible Agencies, Trustee Agencies, and other Interested Organizations and Persons with a description of the Project and to identify potential environmental effects pursuant to CEQA requirements.

Project Location

The approximately 815-acre Project site is located southwest of the City of Brentwood, in unincorporated Contra Costa County; north of Balfour Road, east of Deer Valley Road, and west of the westerly City limits.

Project Description Summary

The Vineyards at Deer Creek (the Project) is a proposed residential community of up to 2,400 residential units within Special Planning Area (SPA) 2 of the Brentwood General Plan, at least 80% (1,920 units+/-) of which will be age-restricted active adult and a maximum of 20% (480 units+/-) will be un-restricted market-rate housing. The Project site is currently located outside of the City of Brentwood's city limit lines, Sphere of Influence (SOI), and Urban Limit Line (ULL). Thus, the entitlements include requests for annexation, rezoning, SOI Amendment, and ULL Amendment (by voter initiative pursuant to Measures J

and L). The average gross density across the Project site would be three dwelling units per acre, which is beyond the scope of the General Plan land use designation for SPA 2, thus requiring an amendment to the General Plan. Each of the six residential neighborhoods may have a neighborhood recreation center. A centrally-located community recreation center will serve as the focal point to the community and include a variety of indoor and outdoor recreation amenities. Located adjacent to Balfour Road and Deer Valley Road, an approximately 20-acre commercial/civic area is envisioned for civic events and functions. Integrated throughout the Specific Plan area will be approximately 225 acres of permanently established agricultural and open space land use areas. These areas will include extensive areas of vineyards, olive groves, and open space, reinforcing the characteristics of a Mediterranean environment. To improve traffic circulation and safety, off-site roadway improvements include, but are not limited to, widening Balfour Road from two to four lanes and extending American Avenue west and north to Balfour Road.

For further details, please see the Detailed Project Description attached.

Public Review and Comment Period

Further notice is hereby given that the City invites comments on the scope and content of the EIR in response to this NOP. Pursuant to Section 15082 of the CEQA Guidelines, this NOP will be circulated for a 30-day review period. At a minimum, responses to this NOP should focus on the potentially significant environmental effects that the proposed project may have on the physical environment and that should be addressed in the Project EIR, ways in which those effects might be minimized, and potential alternatives to the proposed project that should be addressed in the EIR. In your response, please include your name, the name of your agency or organization (if applicable), and contact information.

Comments regarding the scope and content of the environmental review to be conducted for the proposed project should be sent to the City in writing by 5:00 p.m. on May 1, 2019. Please send your written comments to:

Lead Agency Contact:

Erik Nolthenius, Planning Manager
City of Brentwood
Community Development Department
150 City Park Way
Brentwood, CA 94513
(925) 516-5137
enolthenius@brentwood.ca.gov

Scoping Meeting: The City will conduct a scoping meeting on April 23, 2019, beginning at 3:00 PM, located at the Brentwood Community Center (upstairs conference room), 35 Oak Street, Brentwood, California, at which agencies, organizations, and the public will have an opportunity to submit verbal comment. However, all comments must also be submitted in writing in the manner described above.