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Governor's Office of Planning & Research

**Oct 21 2020**

**STATE CLEARINGHOUSE**

**CEQA Project: SCH # 2020090519**

**Lead Agency: Metropolitan Transportation Commission**

**Project Title: Plan Bay Area 2050 (Regional Transportation Plan/Sustainable Communities Strategy)**

The Geologic Energy Management Division (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. The map contained in the Notice of Preparation does not provide adequate detail to determine if existing or plugged and abandoned wells might be in the vicinity of any future projects. It is recommended that the Metropolitan Transportation Commission utilize the Division's well finder resource when more detailed maps are available to ascertain if a well could be affected.

<http://maps.conservation.ca.gov/doggr/wellfinder/#close> Data for wells located on private and public land are available at the Division's website:

<https://secure.conservation.ca.gov/WellSearch>

The permitting agency(s) and property owner(s) 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 permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis.

1. It is recommended that access to a 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, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, and decking.

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

**a. Maintain physical access to all oil and gas wells.**

**b. Ensure that the abandonment of all oil and gas wells is to current standards.**

If the permitting agency, property owner, and/or developer chooses not to follow recommendation "**b**" for the well located within the project corridors, 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 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 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 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.

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6. The Division recommends that a permitting agency consider the use of surface mitigation measures as a condition for project approval, if and when appropriate. Examples of surface mitigation measures include venting systems for wells, venting systems for parking lots, patios, and other hardscape, methane barriers for building foundations, methane detection systems, and collection cellars for well fluids. The Division **does not** regulate the design, installation, operation, or adequacy of such measures. The Division recommends that such surface mitigation measures are designed, installed, and operated by qualified engineers. The permitting of surface mitigation measures falls under the jurisdiction of the permitting agency.
7. If during the course of development of a parcel any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the records and investigated.
8. The Division recommends that any soil containing significant amounts of hydrocarbons to 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.
9. 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 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet

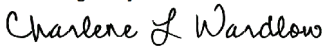
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but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

To reiterate, the permitting agency, property owner, and/or developer should be aware of, and fully understand, that the above comments are made by the Division with the intent to encourage full consideration of significant and potentially dangerous issues associated with development near oil or gas wells.

Thank you for the opportunity to comment on this project.

Sincerely,

DocuSigned by:  
  
067E7BD5EA114A7...  
Charlene L Wardlow  
Northern District Deputy

Enclosures:

1. Oil, Gas & Geothermal Fields of the Nine Bay Area Counties

