



November 18, 2020

VIA EMAIL

Governor's Office of Planning & Research

Nov 20 2020

STATE CLEARINGHOUSE

Ms. Holly Owen
County of Santa Barbara
624 W. Foster Road Suite C
Santa Maria, CA 93455
howen@countyofsb.org

Dear Ms. Owen:

ARCTIC COLD AGRICULTURAL PROCESSOR AND FREEZER PROJECT NOTICE OF PREPARATION,
STATE CLEARINGHOUSE NO. 2020100453

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project, released October 23, 2020. CalGEM was previously provided with the preliminary project site plans by Mr. Dan Ringstmeyer of Buena Resources. CalGEM reviewed the site plans and identified three plugged and abandoned wells impacted by the development. A comment letter with recommendations and comments was sent to Mr. Dan Ringstmeyer on December 20, 2019 (Enclosure 1). CalGEM's recommendations and comments specified in Enclosure 1 are still applicable for this project and are provided for your consideration.

In follow-up communications, CalGEM provided Mr. Dan Ringstmeyer with comments and recommendations regarding the project's office location and rig access for well "Vincent" 9 (API 083-02661). The following is a summary of CalGEM's response for your consideration:

- CalGEM does not approve building permits but offers recommendations to local planning agencies.
- CalGEM recommends obtaining opinions from multiple rig companies regarding rig access requirements, taking into consideration this specific site and well construction.
- Review rig contractor opinions and ensure approved placement of office allows for adequate rig access and does not in any way impede access to the well.

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

Sincerely,

Patricia A. Abel
Coastal District Deputy

Enclosures

JM:ks

cc: Chrono / CEQA / CSWR / SCH / OLRA / Jan Perez/ Well File / dan-buena-res.com



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

Gavin Newsom, Governor
David Shabazian, Director

December 20, 2019

VIA U.S. MAIL AND EMAIL

Daniel Ringstmeyer, Contractor
Buena Resources
P.O. Box 2040
Santa Maria, CA 93457-2040
dan@buena-res.com

Dear Mr. Ringstmeyer,

SANTA MARIA COLD STORAGE & PACKING, 1750 E. BETTERAVIA RD, SANTA MARIA, CA,
APN 128-097-001

The Division of Oil, Gas, and Geothermal Resources (Division) appreciates the opportunity to submit comments on the project referenced above (Project), received via email on December 11, 2019. The Division received a site map with oil wells plotted (Enclosure).

The Division's 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 reviewed the Project. 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 information.

Our records indicate there are three known plugged and abandoned oil wells plotted where the Project is located. There are an additional five plugged and abandoned oil wells and two idle oil wells that plot outside of the Project area on the Project parcel.

The three wells listed below are in the Project area and are not plugged and abandoned to current Division requirements as prescribed by law. **The Division recommends the re-abandonment of the three wells (see table below and enclosure).** The record and approximate location for the above mentioned wells are available online at <https://www.conservation.ca.gov/dog/Pages/WellFinder.aspx>

State of California Natural Resources Agency | Department of Conservation
Coastal District – Orcutt, 195 S. Broadway, Suite 101, Orcutt, CA 93455
conservation.ca.gov | T: (805) 937-7246 | F: (805) 937-0673

Enclosure 1

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Daniel Ringsmeyer

Well	Status
Union Oil Company of California "Vincent" Well No. 9 API 083-02661 Abandoned: 01/26/1962	The record review process shows that the subject well is not plugged and abandoned consistent with current PRC and CCR requirements as of December 20, 2019. Based on well records: <ol style="list-style-type: none">1. Hydrocarbon zone plug is not to current standards (CCR § 1723.1).2. Freshwater plug is not present (CCR § 1723.2).3. Surface plug is not to current standards (CCR § 1723.5).
Union Oil Company of California "Vincent" Well No. 21 API 083-02662 Abandoned: 01/22/1962	The record review process shows that the subject well is not plugged and abandoned consistent with current PRC and CCR requirements as of December 20, 2019. Based on well records: <ol style="list-style-type: none">1. Hydrocarbon zone plug is not to current standards (CCR § 1723.1).2. Freshwater plug is not present (CCR § 1723.2).3. Surface plug is not to current standards (CCR § 1723.5).
Union Oil Company of California "Vincent" Well No. 22 API 083-02663 Abandoned: 02/01/1962	The record review process shows that the subject well is not plugged and abandoned consistent with current PRC and CCR requirements as of December 20, 2019. Based on well records: <ol style="list-style-type: none">1. Hydrocarbon zone plug is not to current standards (CCR § 1723.1).2. Freshwater plug is not present (CCR § 1723.2).

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.

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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 recommends that the exact location of the wells be determined. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division advises that the wells be inspected and tested for liquid and gas leakage prior to, or during development activities. The Division expects any wells found leaking to be reported to it immediately.

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. 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. 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

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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.

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Daniel Ringstmeyer

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

Enclosure

JM/kk

cc: Chrono
Well File ✓
CSWR

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Enclosure – Annotated screenshot of site map received December 11, 2019.

