



Governor's Office of Planning & Research

July 15, 2022

Jul 27 2022

VIA EMAIL

STATE CLEARINGHOUSE

Ms. Erica Gutierrez
 Los Angeles County Department of Regional Planning
 320 W Temple St # 13th Floor
 Los Angeles, CA 90012
egutierrez@planning.lacounty.gov

Dear Ms. Gutierrez:

TRAILS AT LYONS CANYON PROJECT, NOP - Notice of Preparation of a Draft EIR, STATE CLEARINGHOUSE NO. 2022060346.

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project received June 16, 2022. CalGEM provides the following comments regarding the Trails at Lyons Canyon Project.

1. With the mission of safeguarding public health and protecting the environment, CalGEM administers regulations and procedures pertaining to all oil and gas wells on California public and private land and offshore. Operators must obtain CalGEM approval and permits for a variety of activities, including drilling, reworking, and plugging and abandoning oil wells. Wells must be constructed and maintained in accordance with CalGEM regulations. No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. This includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any re-abandonment work.
2. The project boundary encompasses one known plugged and abandoned oil well within the Lyon Canyon (abandoned) Oil Field:

API	0403706017
Lease	Ayers
Well Number	1
Type	Dry Hole
Status	Plugged & Abandoned

State of California Natural Resources Agency | Department of Conservation

Northern District

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Several wildcat wells exist in the surrounding area and may not be accurately mapped. CalGEM's district office shall be notified of any oil well found during development activities. Please visit CalGEM's website to view oil and gas well locations at <https://maps.conservation.ca.gov/doggr/wellfinder>

3. Prior to development activities near oil and gas wells, please contact CalGEM for a review and recommendations. Public Resources Code (PRC) section 3208.1 establishes well re-abandonment responsibility when a previously plugged and abandoned well will 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, and geothermal wells.

CalGEM categorically advises against building over, or in any way impeding access to oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient 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.

There are no guarantees a well abandoned in compliance with current CalGEM requirements as prescribed by law will not start leaking in the future. Any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. CalGEM acknowledges that wells plugged and abandoned to the most current CalGEM requirements, as prescribed by law, have a lower probability of leaking in the future. However, there is no guarantee that such abandonments will not leak.

PRC section 3208.1 gives CalGEM the authority to order and/or permit the re-abandonment of any well where there is 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:

- a) **The property owner** - If the well was plugged and abandoned in conformance with CalGEM requirements at the time of plugging and abandonment, and 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

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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.

- b) **The person or entity causing construction over or near the well** - If the well was plugged and abandoned in conformance with CalGEM 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.
- c) **The party or parties responsible for disturbing the integrity of the abandonment** - If the well was plugged and abandoned in conformance with CalGEM 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.

No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. 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. CalGEM also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. California Code of Regulations (CCR) section 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 CalGEM is required before work can start. CalGEM makes the following additional recommendations to the local permitting agency, property owner, and developer:

- a) To ensure that present and future property owners are aware of 3(a) the existence of all wells located on the property, and 3(b) potentially significant issues associated with any improvements near oil or gas wells, CalGEM 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.

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- b) CalGEM 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 section 3106, CalGEM 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 CalGEM's authority to order work on wells pursuant to PRC sections 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC sections 3236, 3236.5, and 3359 for violations within CalGEM's jurisdictional authority. CalGEM does not regulate grading, excavations, or other land use issues.

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

Sincerely,

Miguel Cabrera

Miguel Cabrera
Northern District Deputy

BF:bw:ks

cc: Chrono
CEQA
CEQA HQ
Jan Perez
STATE CLEARINGHOUSE
OLRA