

November 8, 2011
Patrick Alford
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92663



RE: Banning Ranch Draft Environmental Report, Air Quality

Dear Mr. Alford:

I'm a resident of Newport Crest and have several questions about the Air Quality section of the DEIR. On page 4.10-9, *Existing Development*, it reads as follows:

"The Project site is currently operating as a crude oil and gas production facility. Horizontal Drilling, LLC and their operating affiliate, WNOC, manage oil and gas production operations on most of the site. WNOC has approximately 85 active/idle wells spread across most of the approximate 401-acre site. In addition, the City operates 12 oil wells, 1 water injection well, and 1 oil processing facility located at the West Coast Highway entrance area. Existing oil operations are addressed in more detail in Section 3.0, Project Description, and Section 4.5, Hazards and Hazardous Materials, of this EIR."

Is Horizontal drilling done in the oil field operations? Where is it being done and how extensive is the horizontal drilling? The number of active/idol wells is stated as 85. Is this the exact number? The Hazards & Hazardous Materials section (4.5) lists the number of active/inactive wells as 50-100.

What is a water injection well? Is hydraulic fracturing also done or has it ever been done on the site? If so, what measures are taken to avoid the toxic emissions associated with hydraulic fracturing? Has the EPA recently proposed new regulations that deal with hydraulic fracturing emissions? If so, is the oil field operation in compliance with these regulations?

Where are the nearly 400 abandoned wells on the Site? Is there a map of active, potentially active and abandoned wells? Are the locations of any wells unknown? Are there requirements that wells not exist within a certain number of feet of any existing structure or new development? If so, what is the required distance?

On page 3/17 of Appendix A of the Banning Ranch Draft Remedial Action Plan (DRAP), prepared for Newport Banning Ranch LLC, the Orange County Fire Authority Guideline deals with building restriction zones. It reads as follows:

"1. Building Restriction Zone: To the *maximum* extent feasible, the slab or foundation for a proposed building shall not be constructed over or within 10 feet of an abandoned oil/gas well. If specific site characteristics make such a setback unfeasible, construction of structures *may* be allowed within the Building Restriction Zone provided that the following mitigation measures are incorporated.

The Proposed construction of one- or two-family dwellings within the Building Restriction Zone shall be subject to further evaluation and/or mitigation. A. A soil gas investigation and report, meeting the criteria contained herein, shall be conducted in the immediate vicinity (25 foot radius) of any abandoned oil/gas well that will be located within the Building Restriction Zone. The report shall be submitted to OCFA.

[...] C. A Registered Professional shall review the soil gas investigation report and building plan and recommend soil gas mitigation measures, if any, that may be required for the site beyond those contained in this guideline. Any additional mitigation measures recommended shall be included in the Mitigation Plan. [...]

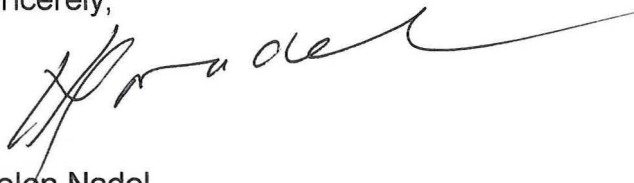
**** THE OCFA ADVISES AGAINST THE CONSTRUCTION OF ANY STRUCTURE OVER ANY WELL ****

http://www.city.newport-beach.ca.us/pln/CEQA_REVIEW/Newport%20Banning%20Ranch%20DEIR/Newport%20Banning%20Ranch_DEIR/Newport%20Banning%20Ranch_Appendices_DEIR_September%202011/D%20Haz%20Mat/Appendix%20D%20Part%201.pdf

Does the Project Applicant intend to follow OCFA's advisement against development over wells? Is an overlay map available of the proposed development and of all wells on the Project site? If not, I would like to request that such a map be included in the final version of the EIR. The North Village area in particular appears to be where the majority of the housing will be built, but it's also one of the areas where the most wells and even some old oil sumps are located, according to a display at one of the Project Applicants' community events. It's not possible to calculate what the potential environmental impact will be without knowing where development will be in proximity to the wells. Could I be notified by email when such an overlay map is available?

Thank you for your attention to this matter.

Sincerely,



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