

State of California
Natural Resources Agency / Department of Conservation
GEOLOGIC ENERGY MANAGEMENT DIVISION

California Environmental Quality Act
Notice of Exemption

To: Office of Planning & Research
State Clearinghouse
1400 Tenth Street, Room 113
Sacramento, CA 95814

From: Department of Conservation
Geologic Energy Management Division
801 K Street, MS 18-05
Sacramento, CA 95814

Contact: Larry Kleinecke, (916) 445-9686

Project Title: OG Berry 3 Wells 03262020

Project Applicant: Berry Petroleum Company, LLC

Project Location: Poso Creek Oil Field

County: Kern

Section: 14

Township: 27S

Range/Baseline: 27E / MD B&M

Latitude/Longitude: 36.58508650, -119.04116157

Project Description: The proposed project consists of drilling three new wells in the Poso Creek Oil Field in Kern County. The proposed wells are located in a densely developed oil field, within a parcel under active oil production, and in an area with surface and mineral rights owned by the U.S. Bureau of Land Management (BLM). CalGEM has issued permits for the wells and notified BLM of the permits.

<i>API #</i>	<i>Well Name</i>
0403067714	USL 35-17X
0403067961	USL 14-03CR
0403067968	Fitzhugh 22 CR

Details on well locations can be found on CalGEM's website at:
<http://www.conservation.ca.gov/calgem/Pages/Wellfinder.aspx>

Exempt Status: As the Lead Agency, the Geologic Energy Management Division (CalGEM) has determined that the proposed project is exempt from further environmental review requirements of the California Environmental Quality Act (CEQA), pursuant to the specified exemptions marked in the section below. CalGEM further finds that the proposed project would not result in a significant adverse impact to the environment, or that any of the exceptions to the exemptions apply (14 CCR 15300.2).

Exemption Type	Statute (PRC)	Regulation (14 CCR)	
<input checked="" type="checkbox"/> Statutory Exemption:			
<input checked="" type="checkbox"/> Ongoing Project (<i>pre-CEQA. Approval prior to April 5, 1973</i>)	21169	15261 (b)	
<input type="checkbox"/> Ministerial	21080 (b)(1)	15268	
<input type="checkbox"/> Declared Emergency	21080 (b)(3)	15269 (a)	
<input type="checkbox"/> Emergency Projects	21080 (b)(4)	15269 (b) or (c)	
<input checked="" type="checkbox"/> Categorical Exemption:	21084		
<input checked="" type="checkbox"/> Class 1: Existing Facilities		15301	1684.1
<input type="checkbox"/> Class 3: New Construction/Conversion of Small Structures		15303	
<input checked="" type="checkbox"/> Class 4: Minor Alterations to Land		15304	1684.2
<input type="checkbox"/> Class 6: Information Collection		15306	
<input type="checkbox"/> Class 7: Protection of Natural Resources		15307	
<input type="checkbox"/> Class 8: Protection of the Environment		15308	
<input type="checkbox"/> Class 11: Accessory Structures		15311	
<input type="checkbox"/> Class 21: Enforcement Actions to revoke a permit		15321	
<input type="checkbox"/> Class 30: Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate a Release (Actual or Threat) of Hazardous Substances (Waste or Material)		15330	
<input type="checkbox"/> Class 33: Small Habitat Restoration Projects		15333	
<input type="checkbox"/> General Exemption ("common sense")		15061 (b)(3)	
<input type="checkbox"/> Not a "Project" subject to CEQA		15378 (b)(2)	

CEQA Exceptions to the Exemptions (14 CCR 15300.2): where project is located (e.g. sensitive environment); Cumulative Impact; Significant Effect due to Unusual Circumstances; Scenic Highways; Hazardous Waste Sites; Historical Resources.

➤ **Reasons Why Project is Exempt:**

The basis for CalGEM's determination that the project is exempt from the requirements of CEQA is provided in the brief explanation below.

15261(b) - Ongoing Project: The project is statutorily exempt from CEQA under the Ongoing Project exemption (PRC 21169; 14 CCR 15261(b)) because CalGEM identified administrative boundaries of the Poso Creek oil & gas field that were approved prior to April 5, 1973 (pre-CEQA). CalGEM permit approvals for oil & gas activities within this field occurred before April 5, 1973 and those permit approvals occurring after that date do not involve a greater degree of responsibility or control over the project as a whole than did the prior approvals.

Class 1 – Existing Facility: The project is categorically exempt from CEQA under the "Class 1" (14 CCR §15301) exemption per the CEQA Guidelines and per CalGEM's regulations (14 CCR §1684.1) because the wells will be installed within an existing oil field and involve no expansion of use of the oil field.

Class 4 – Minor Alterations to Land: The project is categorically exempt from CEQA under the "Class 4" (14 CCR 15304) exemption per the CEQA Guidelines because the project involves the minor alteration of the condition of land and/or vegetation within a densely developed oil field and does not require the removal of healthy, mature scenic trees.

Exceptions to Exemptions: CalGEM further finds that there are no exceptions to the otherwise-applicable categorical exemptions (PRC §21084; 14 CCR 15300.2(c)). There is no substantial evidence that there are any "unusual circumstances" associated with the proposed project that create a reasonable possibility that the activity will have a significant effect on the environment, and that there is no significant "cumulative impacts" resulting from successive projects of the same type in the same place. Therefore, this project is not subject to CEQA.

A copy of this NOE (as required by 14 CCR 15062(a)) and all other related materials are available for public inspection at CalGEM's CEQA Unit, located at 801 K Street, 14th floor, Sacramento, CA 95812; or an electronic copy of these documents may also be accessed online at the State Clearinghouse: <https://ceqanet.opr.ca.gov>; and/or CalGEM's website at <http://www.conservation.ca.gov/calgem/CEQA>

Certified: _____ **Date:** _____


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 Geologic Energy Management Division
 CEQA Unit