

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  
 715 P Street, MS 1803  
 Sacramento, CA 95814  
**Contact:** CEQA@conservation.ca.gov

**Project Title:** Berry 102023-003-Multi

**Project Applicant:** Berry Petroleum Company, LLC

**Project Location:** Midway-Sunset; 36/32S/23E/MD; 35.10390472, -119.44862366

**Project Description:**

The originally approved project consists of reworking two existing wells for continued production by making selective perforations in the Sub-LakeView reservoir and Lower Tulare reservoir and conducting Step Rate Tests. Water will be purchased from West Kern Water District for 8,400 gals per well site. Drilling fluid and cuttings will be discharged into permitted surface impoundments. Equipment to conduct rework operations will use existing oilfield roads and will be deployed for rework operations on existing oilfield pads, with no new surface disturbance. The wells will be returned to production after being idle.

CalGEM has approved permits for Berry Petroleum Company, LLC to rework the oil and gas wells listed below, in the Midway-Sunset oilfield.

API #	Well Name
0403006022	Section 36 21
0403021399	SEC31D32

**Exempt Status:** As the Lead Agency, 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 application of the exemptions apply (14 CCR § 15300.2).

Exemption Type		Statute (PRC)	Regulation (14 CCR)
<input type="checkbox"/>	<b>Statutory Exemption:</b>		
<input type="checkbox"/>	Ongoing Project ( <i>pre-CEQA approval on 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"/>	<b>Categorical Exemption:</b> <input checked="" type="checkbox"/> <b>Class 1:</b> Existing Facilities <input type="checkbox"/> <b>Class 2:</b> Replacement or Reconstruction <input type="checkbox"/> <b>Class 3:</b> New Construction/Conversion of Small Structures <input checked="" type="checkbox"/> <b>Class 4:</b> Minor Alterations to Land <input type="checkbox"/> <b>Class 7:</b> Protection of Natural Resources <input type="checkbox"/> <b>Class 8:</b> Protection of the Environment <input type="checkbox"/> <b>Class 11:</b> Accessory Structures <input type="checkbox"/> <b>Class 21:</b> Enforcement Actions to revoke a permit <input type="checkbox"/> <b>Class 30:</b> Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate a Release (Actual or Threat) of Hazardous Substances (Waste or Material) <input type="checkbox"/> <b>Class 33:</b> Small Habitat Restoration Projects  <input type="checkbox"/> <b>General Exemption</b> ("common sense") <input type="checkbox"/> <b>Not a "Project" subject to CEQA</b>	21084	15301 15302 15303 15304 15307 15308 15311 15321 15330 15333  15061 (b)(3)	1684.1   1684.2
<p><u>CEQA Exceptions to the Exemptions (14 CCR § 15300.2):</u> where project is located (e.g., sensitive environment); Cumulative Impact; Significant Effect due to Unusual Circumstances; Scenic Highways; Hazardous Waste Sites; Historical Resources.</p>				

**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.

**Class 1 – Existing Facilities (14 CCR §§ 15301, 1684.1):** Class 1 exemption applies as CalGEM's regulations state: "Class 1 consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing previously. The Class includes, but is not limited to: remedial, maintenance, conversion, and abandonment work on oil, gas, injection, and geothermal wells...". This rework can be considered maintenance of the wells in order to ensure continued operation by replacing existing, similar equipment (perforations, etc.). Specifically, the purpose of the rework is to conduct maintenance to ensure continued operations by conducting selective perforations and Step Rate Tests. The rework constitutes minor alterations to existing wells and does not propose any changes to the wellbore or structure of the wells. Equipment to conduct the rework operations will use existing roads and will be deployed on existing oilfield pads, with no new surface disturbance. Once the rework is completed the wells will return to service for oil and gas operation. Therefore, there is only negligible or no expansion of existing use beyond that existing.

**Class 4 – Minor Alterations to Land (14 CCR §§ 15304, 1684.2):** Class 4 exemption applies to "drilling operations that result only in minor alterations with negligible or no permanent effects to the existing condition of the land, water, air, and/or vegetation". The proposed project involves minor alterations, such as selective perforations and Step Rate Tests, on two existing wells conducted entirely on existing pads with enough space to contain all equipment. The project does not involve the construction of permanent facilities, the expansion of existing facilities, or the disturbance of ground surface. The proposed project is located within an

