

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: UIC Berry 042024-001

Project Applicant: Berry Petroleum Company, LLC

Project Location: Kern County, McKittrick Oil Field; 21/30S/22E/MD;
 35.30899923/-119.61675548

Project Description: The proposed project consists of repairing the casing of an existing cyclic steam injection well by running an inner liner and performing cement squeeze. The proposed project is estimated to take 5 days once work has begun. The project will utilize a workover rig, and various temporary support equipment that includes delivery trucks, backhoes, and pickup trucks. The well pad will be able to accommodate all associated equipment and operations, including personnel parking. No production facilities and no new ground surface disturbance will be associated with the rework.

The NOI initially proposed reworking 4 wells. Of the 4 wells, 3 wells were determined to have integrity issues that required swift action for the protection of public health, safety, and the environment. For safety reasons, those wells received an expedited review and have been exempted.

CalGEM has approved permits for Berry Petroleum Company, LLC to rework the cyclic steam injection well listed below, in the McKittrick oil field.

| API # | Well Name |
|------------|------------------|
| 0403065518 | Unspecified G-11 |

Exempt Status: As the Lead Agency, CalGEM has determined that the proposed project is exempt from full 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"/> Statutory Exemption: | | | |
| <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) | |
| Exemption Type | | Statute (PRC) | Regulation (14 CCR) | |
| <input checked="" type="checkbox"/> | Categorical Exemption: | 21084 | | |
| <input checked="" type="checkbox"/> | Class 1: Existing Facilities | | 15301 | 1684.1 |
| <input checked="" type="checkbox"/> | Class 2: Replacement or Reconstruction | | | |
| <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 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.

Class 1, Existing Facilities (14 CCR §§ 15301, 1684.1): The proposed project is categorically exempt from CEQA under the “Class 1” (14 CCR §§ 15301, 1684.1) exemption per the CEQA Guidelines because the project is maintenance and a minor alteration that would not expand the existing use of the well. Class 1 consists of the “operation, repair, maintenance, or minor alterations” of existing structures involving “negligible or no expansion of use beyond that existing previously.” The project involves repairing the casing on an existing injection well and performing cement squeeze in order to continue resource development. This maintenance is necessary to avoid the potential migration of fluids. A CalGEM engineer has confirmed that the proposed operations would be a continuation of operations within the confines of UIC project 454-03-005. The well is and would remain an injection well with substantially the same capacity.

Class 2, Replacement or Reconstruction (14 CCR § 15302): The proposed project is categorically exempt from CEQA under the “Class 2” (14 CCR § 15302) exemption per the CEQA Guidelines because the project is replacement or reconstruction of the casing on an existing injection well which would be located on the same site and would not change the purpose or capacity of the well. Class 2 applies to the “replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.”

The project involves repairing the casing on an existing injection well by running an inner liner or performing cement squeeze as needed. The project would not involve the expansion of existing facilities or the construction of new facilities as the project is located on an existing well pad that is large enough to accommodate necessary equipment and can be accessed by existing roads. This rework is maintenance that would avoid the potential migration of fluids and would not change the purpose or capacity of the well. A CalGEM engineer has confirmed that the proposed operations would be a continuation of operations within the confines of UIC project 454-03-005. The well is and would remain an injection well with substantially the same capacity.

Class 4, Minor Alterations to Land (14 CCR §§ 15304, 1684.2): The proposed project is categorically exempt from CEQA under the “Class 4” (14 CCR §§ 15304, 1684.2) exemption per the CEQA Guidelines because the project is a minor alteration to the well casing that will have a negligible effect on the surrounding environment. Class 4 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 project involves repairing the casing on an existing injection well by running an inner liner or performing cement squeeze as needed, due to potential migration of fluids out of zone, to maintain the well and continue resource development. The project is a minor alteration and would not involve the expansion of existing facilities or the construction of new facilities as the project is located on an existing well pad that is large enough to accommodate necessary equipment and can be accessed by existing roads. As such, there are negligible or no temporary or permanent surface disturbance related activities that could potentially impact the existing condition of the land, water, air, and/or vegetation.

Exceptions to Exemptions:

CalGEM further finds that there are no exceptions to the application of the categorical exemptions (PRC § 21084; 14 CCR § 15300.2 (c)) referenced above. 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 are no significant “cumulative impacts” resulting from successive projects of the same type in the same place. Therefore, reliance on the exemption(s) is appropriate.

Consistent with the purposes of PRC § 3250 et seq. and the documentation available for the preliminary review, the proposed project will benefit the environment. In addition, the work under the contracts and any resulting impacts will be temporary in duration. Therefore, the project can be considered exempt from the need for full CEQA review.

A copy of this NOE (as required by 14 CCR § 15062(a)) and all other related materials can be made available to the public by contacting the CalGEM CEQA Program, located at 715 P Street, MS 1803, Sacramento, CA 95814; by calling (916) 445-9686; or an electronic copy of these documents may be requested by contacting CEQA@conservation.ca.gov. The notice filed with the State Clearinghouse may be accessed online at: <https://ceganet.opr.ca.gov>

Certified: Mikayla Vaba **Date:** _____
 Department of Conservation,
 Geologic Energy Management Division
 CEQA Program