

Notice of Exemption

To:
Office of Planning and Research
U.S. Mail
P.O. Box 3044
Sacramento, CA 95812-3044

From:
California Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, CA 93710

Street Address:
1400 Tenth Street
Sacramento, CA 95814

Project Title: Fellows Pump Station Infrastructure Removal Project (Project) (California Endangered Species Act Incidental Take Permit No. 2081-2023-047-04 (ITP))

Project Location: The Site is on Midway Road, just east of the intersection with Highway 33 in Kern County, California, approximately 1.25 miles east of Fellows and approximately 3.5 miles northwest of Taft between in the Midway Valley between the Temblor Range and Elk Hills.

Project Description: This proposed Project involves the demolition and removal of all above-grade infrastructure, including 6 above ground storage tanks (AST's), buildings, pipelines, pumps, and all associated infrastructures on the abandoned oil and gas storage facility.

The project is expected to result in incidental take of San Joaquin antelope squirrel (*Ammospermophilis nelsoni*), San Joaquin kit fox (*Vulpes macrotis mutica*), and giant kangaroo rat (*Dipodomys ingens*) (collectively, Covered Species of the ITP), which are designated as a threatened and endangered species pursuant to the California Endangered Species Act. The Project will result in temporary impacts to 7.01 acres of Covered Species habitat. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

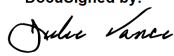
Person or Public Agency Carrying Out Project: Shell California Pipeline Company, Dan Kirk, 150 North Dairy Ashford Street Houston, Texas 77079

Exempt Status:

- Statutory Exemption. California Code of Regulations, Title 14, section 15269, subdivision (b); Public Resources Code, section 21080, subdivision (b)(4)
- Categorical Exemption.

Reasons why project is exempt: See Attachment

CDFW Contact Person: Shaelyn Latronica (Environmental Scientist), Shaelyn.Latronica@wildlife.ca.gov

DocuSigned by:

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Signature

Date: 9/23/2024

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____

Attachment to Notice of Exemption

California Endangered Species Act Incidental Take Permit No. 2081-2023-047-04 Shell California Pipeline Company LLC Fellows Pump Station Infrastructure Removal Project

Approval of this Project is subject to the statutory exemption for “Specific actions necessary to prevent or mitigate an emergency” (Emergency Project; Pub. Resources Code, §21080, subd. (b)(4)) under the California Environmental Quality Act (CEQA; Pub. Resources Code, §21000 et seq.). “Emergency” is defined as “A sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services” (Pub. Resources Code, §21060.3).

The purpose of the Project is to prevent the collapsing of above ground storage tanks (AST’s) at the abandoned Shell oil and gas storage facility by demolishing the existing AST’s, associated infrastructure, and removing potentially hazardous waste from the site. Shell California Pipeline Company provided the following information regarding the urgent nature of this Project:

- Recent visits completed on-site identified one of the AST’s had begun to buckle and cave in on itself and the other ASTs on-site had evidence of buckling and corrosion. Another routine maintenance visit by Shell’s contractor identified that a fire had occurred in one of the buildings on-site with indications of trespassers. Kern County Planning and Natural Resources Department has indicated concurrence with the site being a risk to public health and safety if the ASTs were to collapse.

The Project will include the implementation of short-term remedies followed by the demolition of the site. The short-term remedies involve the installation of semi-permanent barriers to restrict access to trespassers onto the site and temporary measures to secure site infrastructure and buildings. The demolition involves the demolition and removal of all above-grade infrastructure, including 6 above ground storage tanks (AST’s), buildings, pipelines, pumps, and all associated infrastructures on the abandoned oil and gas storage facility.

Impacts will be minimized and fully mitigated through the implementation of measures required by Incidental Take Permit No. 2081-2023-047-04. Measures include: 1) Monthly Compliance Reports; 2) establishment of avoidance zones; 3) worker education; 4) species relocation; and 5) permanent protection and perpetual management of 4 acres of Habitat Management Lands.