

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: State Abandonment of Orphan Wells Project

Project Applicant: Department of Conservation, Geologic Energy Management Division

Project Location: Fruitvale Oil Field – Griffin Wells (25 wells)

Project Description: The proposed Project consists of the plug and abandonment (P&A) of 25 existing orphan wells in Kern County identified in CalGEM's Phase-1 State Abandonment of Orphan Wells Expenditure Plan. (See the listing of wells below) The proposed work involves well abandonment and decommissioning of tanks and other production-related facilities attendant to the wells. For well abandonment, each well will be cleaned out and then plugged with cement to surface. All construction materials, cellars, and production pads will be removed, and the well casing cut down to approximately five feet below ground level. The location will then be backfilled with soil up to ground level and compacted properly to prevent settling. The location will be cleared of equipment, trash, or waste materials, and returned to as near a natural state as practicable. Attendant facilities will be decommissioned in accordance with CalGEM statutes and regulations.

CalGEM has approved a task order for its contractor to perform the proposed work on the wells listed at the end of this NOE. Notices of Intention will be issued to the contractor for administrative purposes only and do not constitute a subsequent discretionary approval.

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 checked="" 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 checked="" 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

Exemption Type		Statute (PRC)	Regulation (14 CCR)	
<input type="checkbox"/>	Class 2: Replacement or Reconstruction		15302	
<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 checked="" type="checkbox"/>	Class 7: Protection of Natural Resources		15307	
<input checked="" 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.

Statutory Exemption, Emergency Projects (14 CCR §§ 15269 (b) or (c)): As the CEQA Lead Agency for the Project, CalGEM determined that the proposed Project is exempt from further environmental review requirements of CEQA, pursuant to the statutory exemption, Emergency Projects. Per the Emergency Projects exemption: “Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.” (14 CCR § 15269(c)).

The majority of the wells proposed for P&A are leaking or have leaked combustible gas at high concentrations in the past. Several of the attendant facilities have also had hydrocarbon spills and gas leaks associated with them, including two clean-ups involving the use of CalGEM’s emergency funds. In addition, two recent facility leaks include a significant gas leak from an attendant pipeline which shut down a major road, and an attendant facility which backflowed hydrocarbons, resulting in the contamination of a municipal drinking water supply in Bakersfield. Considering the well(s) proximity to residences and the significant public risk associated with gas leaks and/or hydrocarbon spills, immediate action is needed to P&A the wells associated with the proposed Project. Furthermore, the well(s) in the proposed Project also have a history of zonal communication, whereby fixing only one leak may lead to another one of the wells leaking. Therefore, it is essential to immediately plug and abandon all of the wells in the proposed Project. As noted above, the goal of the proposed Project is to reduce and ultimately stop the release of hydrocarbons into the environment. Therefore, the use of the statutory emergency project exemption is appropriate.

Class 1, Existing Facilities (14 CCR §§ 15301, 1684.1): The 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..." These abandonments could be considered a minor alteration to the existing facilities because the wells will be permanently sealed. After abandonment the wells will cease to be used for oil and gas activities. Therefore, there would be no expansion of use beyond that previously existing.

Class 4, Minor Alterations to Land (14 CCR §§ 15304, 1684.2): The proposed activities are also exempt under Class 4 as the project would be conducted entirely on existing pads of sufficient space to contain all equipment and existing roads to the pad would be utilized with minimal new disturbance. No impacts to biological resources or vegetation are expected. Therefore, the project "consists of ... operations that result in only minor alterations with negligible or no permanent effects to the existing condition of the land, water, air, and/or vegetation."

Classes 7 and 8, Actions by Regulatory Agencies for Protection of Natural Resources and the Environment (14 CCR §§ 15307, 15308): Orphan wells, due to their inherent lack of maintenance and open pipe to potential reservoir pressure and fluids, present an increased risk for potential leaks that could affect and impact natural resources and environment in the area. In addition, because some of the wells are within 3,200 feet of residences, the increased risk of leaks of hazardous substances could negatively impact surrounding sensitive receptors. Some of the wells are currently leaking and the other orphan wells present an increased risk of leaks when compared to a properly abandoned well and therefore must be plugged and abandoned to minimize a potential threat of a release and subsequent impact. Abandonment of these orphan wells would ensure that risks from leaks and potential impacts to natural resources and the environment are minimized to the extent feasible, and therefore, the Class 7 and Class 8 exemptions are potentially applicable.

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 these exemptions 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 95814-3530; by calling (916) 445-9686; or an electronic copy of these documents may be requested by contacting CEQA@conservation.ca.gov. A copy of this NOE may also be accessed online at the State Clearinghouse: <https://ceqanet.opr.ca.gov>

Listing of Wells

API / Subject ID	County	Field	Lat	Lon	Operator
0402908236	Kern	Fruitvale	35.36691	-119.06449	Griffin Resources, LLC
0402908237	Kern	Fruitvale	35.36696	-119.06440	Griffin Resources, LLC
0402908245	Kern	Fruitvale	35.36589	-119.05985	Griffin Resources, LLC
0402908242	Kern	Fruitvale	35.36774	-119.06214	Griffin Resources, LLC
0402908250	Kern	Fruitvale	35.35868	-119.06226	Griffin Resources, LLC
0402908255	Kern	Fruitvale	35.36053	-119.05772	Griffin Resources, LLC
0402900741	Kern	Fruitvale	35.35694	-119.06000	Griffin Resources, LLC
0402908249	Kern	Fruitvale	35.36053	-119.06227	Griffin Resources, LLC
0402908251	Kern	Fruitvale	35.35692	-119.06213	Griffin Resources, LLC
0402908239	Kern	Fruitvale	35.36230	-119.06223	Griffin Resources, LLC
0402906739	Kern	Fruitvale	35.36410	-119.06662	Griffin Resources, LLC
0402908244	Kern	Fruitvale	35.36404	-119.06228	Griffin Resources, LLC
0402908253	Kern	Fruitvale	35.35874	-119.05992	Griffin Resources, LLC
0402908257	Kern	Fruitvale	35.35754	-119.05718	Griffin Resources, LLC
0402908260	Kern	Fruitvale	35.35815	-119.05875	Griffin Resources, LLC
0402908258	Kern	Fruitvale	35.35636	-119.05740	Griffin Resources, LLC
0402908241	Kern	Fruitvale	35.36228	-119.05775	Griffin Resources, LLC
0402908259	Kern	Fruitvale	35.36153	-119.05902	Griffin Resources, LLC
0402908252	Kern	Fruitvale	35.36050	-119.05994	Griffin Resources, LLC
0402908238	Kern	Fruitvale	35.36376	-119.06438	Griffin Resources, LLC
0402908256	Kern	Fruitvale	35.35931	-119.05724	Griffin Resources, LLC
0402908243	Kern	Fruitvale	35.36576	-119.06214	Griffin Resources, LLC
0402908240	Kern	Fruitvale	35.36267	-119.05997	Griffin Resources, LLC
0402906740	Kern	Fruitvale	35.36649	-119.06365	Griffin Resources, LLC
0402908246	Kern	Fruitvale	35.36411	-119.05996	Griffin Resources, LLC