

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

## California Environmental Quality Act Notice of Exemption

**To:** Office of Land Use and Climate Innovation  
 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:** 619562\_Group\_Berry\_UIC

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

**Project Location:** Kern County, Midway-Sunset Oil Field; 02/31S/22E/MD;  
 35.25910950, -119.58555603

**Project Description:** Berry proposes to sidetrack 10 existing cyclic steam wells located in the Midway-Sunset Oil Field. The proposed project is estimated to take a total of 103 days once work has begun. The entirety of this project is in an area of existing disturbance and no change in the surface topography (such as drainage patterns) is included in the project design. Downhole activities would include drilling, cleaning the wellbores, setting and cementing casing, and completion of the wells in the target formation. Regular operations at the site include removal of weeds for fire control and road maintenance.

The proposed project consists of the California Department of Conservation, Geologic Energy Management Division (CalGEM) approving 10 permits for Berry to sidetrack the wells listed below, in the Midway-Sunset Oil Field.

API #	Well Name
0403048509	Southwestern 43-36
0403045525	Southwestern 44-37
0403048516	Southwestern 46-39
0403035204	Southwestern 47-37
0403045526	Southwestern 48-41
0403050164	Southwestern 49-40
0403050166	Southwestern 50-41
0403064899	Southwestern 54-41X
0403064902	Southwestern 56-43
0403041713	Southwestern 51-41

**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"/>	<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>	21084		
<input checked="" type="checkbox"/>	<b>Class 1:</b> Existing Facilities		15301	1684.1
<input checked="" type="checkbox"/>	<b>Class 2:</b> Replacement or Reconstruction		15302	
<input type="checkbox"/>	<b>Class 3:</b> New Construction/Conversion of Small Structures		15303	
<input checked="" type="checkbox"/>	<b>Class 4:</b> Minor Alterations to Land		15304	1684.2
<input type="checkbox"/>	<b>Class 7:</b> Protection of Natural Resources		15307	
<input type="checkbox"/>	<b>Class 8:</b> Protection of the Environment		15308	
<input type="checkbox"/>	<b>Class 11:</b> Accessory Structures		15311	
<input type="checkbox"/>	<b>Class 21:</b> Enforcement Actions to revoke a permit		15321	
<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)		15330	
<input type="checkbox"/>	<b>Class 33:</b> Small Habitat Restoration Projects		15333	
<input type="checkbox"/>	<b>General Exemption</b> (“common sense”)		15061 (b)(3)	
<input type="checkbox"/>	<b>Not a “Project” subject to CEQA</b>		15378 (b)(2)	
<p><b>CEQA Exceptions to the Exemptions (14 CCR § 15300.2):</b> 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):** The project is exempt under the Class 1, Existing Facilities exemption because the project would make minor changes to existing wells involving no expansion of the existing use of the wells. Class 1 exemption consists of operation, repair, maintenance, or minor alternation of existing public or

private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing previously. This includes "alteration of well casing, such as perforating and casing repair, removal or replacement; installation or removal of downhole production or injection equipment, cement plugs, bridge plugs, and packers set to isolate production or injection intervals." (14 CCR § 1684.1.) The project consists of drilling, cleaning the wellbores, setting and cementing casing, and completion of the wells in the same formation as the original wellbores. No expansion of the existing well pads, roads, staging areas, or pipelines are proposed. According to a CalGEM engineer, the proposed work is within the scope of UIC project 46400390 and would be a continuation of operations within the confines of the UIC project as permitted by the project approval letter (PAL). Therefore, the changes to the existing facilities would be negligible and would not expand the existing use.

**Class 2, Replacement or Reconstruction (14 CCR § 15302):** Class 2 exemption applies because it consists of 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[.]" Examples of Class 2 include, but are not limited to, "[r]eplacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity." (14 CCR § 15302.) The project would include drilling, cleaning the wellbores, setting and cementing casing, and completion of the wells in the same formation as the original wellbores. According to a CalGEM engineer, the proposed work is within the scope of UIC project 46400390 and would be a continuation of operations within the confines of the UIC project as permitted by the PAL. Therefore, the proposed project consists of replacement or reconstruction on the same site and would not change the purpose or capacity of the wells.

**Class 4, Minor Alterations to Land (14 CCR §§ 15304, 1684.2):** Class 4 exemption applies. Class 4 consists of "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." (14 CCR § 1684.2; see also 14 CCR § 15304.) The proposed project would be conducted entirely on existing pads with enough space to contain all equipment. The project would include drilling, cleaning the wellbores, setting and cementing casing, and completion of the wells in the same formation as the original wellbores. No expansion of the existing well pads, roads, staging areas, or pipelines are proposed. The proposed project is located within a developed oil field. Therefore, the proposed project would result in only minor alterations with negligible or no permanent effects to 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) referenced above. For example, 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 exemptions is appropriate.

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](mailto:CEQA@conservation.ca.gov). The notice filed with the State Clearinghouse may be accessed online at: <https://ceqanet.opr.ca.gov>

**Certified:**   *Nicole Trezza*   **Date:**   3/21/2025  

Department of Conservation,  
Geologic Energy Management Division