

State of California
Natural Resources Agency / Department of Conservation
DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES

California Environmental Quality Act

Notice of Exemption 2019028376

To: Office of Planning & Research
State Clearinghouse
1400 Tenth Street, Room 113
Sacramento, CA 95814

From: Department of Conservation
Division of Oil, Gas, and Geothermal Resources
801 K Street, MS 18-05
Sacramento, CA 95814

Contact: Larry Kleinecke, (916) 445-9686

State Clearinghouse #:

Project Title: OG Berry 0403065613
Project Applicant: Berry Petroleum Co. LLC
Project Location: Midway-Sunset Oil Field

County: Kern Section: 02
Township: 31S Range/Baseline: 22E / MD B&M

Latitude/Longitude: 35.257362 / -119.577549

Project Description: The proposed project consists of drilling one new oil and gas well in the Midway-Sunset Oil Field in Kern County. The well name and API number of the well is listed below. The proposed project is located in an established, high-density oil field, and in an area with surface and mineral rights owned by the U.S. Bureau of Land Management (BLM). DOGGR has issued a permit for the well and notified BLM of the permit.

API#	Well Name
0403065613	VP-5

Details on well locations can be found on the Division's website at:
<http://www.conservation.ca.gov/dog/Pages/Wellfinder.aspx>

Exempt Status: As Lead Agency, the Division of Oil, Gas, and Geothermal Resources (Division), 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. The Division 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 exemptions apply (14 CCR 15300.2).

Governor's Office of Planning & Research

FEB 20 2019

STATE CLEARINGHOUSE

Certified:

Date: 2/20/2019

A copy of this NOE (as required by 14 CCR 15062(a)) and all other related materials are available for public inspection at the Division of Oil, Gas & Geothermal Resources/CEQA Unit, located at 801 K Street, 14th floor, Sacramento, CA 95812; or an electronic copy of these documents may be accessed online at: <http://www.conservation.ca.gov/dog/CEQA>

Exceptions to Exemptions: The Division further finds that there are no exceptions to the otherwise-applicable categorical exemptions (PRC §21084; 14 CCR 15300.2(c)). 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 is no significant "cumulative impacts" resulting from successive projects of the same type in the same place.

Class 4 - Minor Alterations to Land: The Division has determined that the project is categorically exempt from CEQA under the "Class 4" (14 CCR 15304) exemption per CEQA guidelines and per DOGGR regulations (14 CCR 1684.2) because the proposed project is located on previously graded or otherwise recently disturbed land within a densely developed oil field.

15261(b) - Ongoing Project: The Division has determined that the project is statutorily exempt under the Ongoing Project (14 CCR 15261(b)) exemption per the CEQA guidelines because the Division identified the Midway-Sunset Oil Field and issued permits in this oil field pre-CEQA (prior to April 5, 1973). Additional permits issued in the developed areas of the Midway-Sunset Oil Field are considered part of an ongoing project and exempt from further CEQA reviews.

Reasons Why Project is Exempt:

Exemption Type	Statute (PRC)	Regulation (14 CCR)
<input checked="" type="checkbox"/> Statutory Exemption:	<input checked="" type="checkbox"/> Ongoing Project (pre-CEQA approval prior to April 5, 1973)	15261(a) or (b)
<input checked="" type="checkbox"/> Categorical Exemption:	<input checked="" type="checkbox"/> Class 1: Existing Facilities	15301
	<input checked="" type="checkbox"/> Class 3: New Construction/Conversion of Small Structures	15303
	<input checked="" type="checkbox"/> Class 4: Minor Alterations to Land	15304
	<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 Exemptions 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.		