

**Notice of Exemption****To:**

Office of Planning and Research  
 For 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:** Chevron North America Exploration and Production Company Cymric Surface Expression Emergency Cleanup Major Amendment No. 1 (California Endangered Species Act Incidental Take Permit No. 2081-2019-034-04 (ITP))

**Project Location:** The Cymric Surface Expression Emergency Cleanup Project is located within existing California Division of Oil, Gas, and Geothermal Resources (DOGGR) Administrative Boundaries of the Cymric Oil Field in western Kern County, California. The Project is approx. 4 miles northwest of the town of McKittrick in Township 30 South, Range 21 East, Section 1, Township 29 South, Range 21 East, Section 36, and Township 29 South, Range 22 East, Section 31. The Project is specifically within Assessor's Parcel Numbers 156 040-03 and 099-310-44, United States Geological Survey (USGS) 7.5-minute quadrangle map Reward, Mount Diablo Base and Meridian.

**Project Description:** The California Department of Fish and Wildlife (CDFW) approved by CDFW consists of the ITP and this Major Amendment No. 1 to permit Chevron North America Exploration and Production Company to incidentally take giant kangaroo rat which is designated as an endangered species under CESA, and San Joaquin antelope squirrel and San Joaquin kit fox which are designated as a threatened species under CESA. (Fish & G. Code § 2050 et seq.; see Cal. Code Regs., tit. 14, § 670.5, subd. (a)(6)(D), (b)(6)(B) and (b)(6)(E), respectively).

The Project includes activities necessary to cleanup surface expressions which began May 10, 2019 and released crude oil and produced water into a nearby dry stream. Major Amendment No. 1 makes six changes to the ITP. This Major Amendment No. 1 will 1) add another Work Area to the Project Area and correct errors in the Project Location section; 2) add activities to the Project Description and Covered Activities related to storage of oil and produced water fluids and wet solids in 15 portable storage tanks located in the new Work Area; 3) increase the total footprint of the proposed Project by 0.89 acre and increase the Covered Species habitat impacts by 0.25 acre; 4) requires the permanent protection of additional compensatory habitat management lands (HM lands) and accompanying management costs to mitigate for increased Covered Species habitat impacts associated with the change in Project Area; 5) increase the Performance Security amount required in order to proceed with Covered Activities; and 6) revise and accordingly replace Figure 2 of the ITP with Figure 2a to depict the modified Project Area and Work Areas and add Figure 6 as an attachment to depict this new Work Area.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Chevron North America Exploration and Production Company, Robert Fragione, San Joaquin Valley Business Unit Operations Manager. 9525 Camino Media, Bakersfield, California 93311

**Exempt Status:**

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

**Reasons why project is exempt:** See Attachment

**CDFW Contact Person:** Annee Ferranti (Environmental Program Manager), 559-243-4005, extension 141

Signature: \_\_\_\_\_

Julie A. Vance,  
 Regional Manager, Central Region  
 Governor's Office of Planning & Research

Date: \_\_\_\_\_

8/30/19

Date received for filing at OPR: **AUG 30 2019**

**STATE CLEARINGHOUSE**

## **Attachment to Notice of Exemption**

### **California Endangered Species Act Incidental Take Permit No. 2081-2019-034-04 Major Amendment No. 1 North America Exploration and Production Company Cymric Surface Expression Emergency Cleanup**

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 Project includes activities necessary to cleanup surface expressions which began May 10, 2019 and released crude oil and produced water into a nearby dry stream. On August 23, 2019, the Permittee requested a change to the Project location and description to add another Work Area to the Project Area, the 31X Portable Tank Storage Area, located in Township 29 South, Range 22 East, Section 31, approximately 0.70 miles northeast of the cleanup Work Area. This change will also add activities to the Project Description and Covered Activities related to storage of oil and produced water fluids and wet solids in 15 portable storage tanks located in the new Work Area to the Project Description and Covered Activities. This addition will increase the total Project footprint by 0.89 acre and the impacts to the Covered Species habitat will increase by 0.25 acre.

CDFW has determined that although this Amendment may result in an increase in take of the Covered Species and increased Covered Species habitat impacts, the additional impacts of the taking will be minimized and fully mitigated through implementation of the Conditions of Approval. Because the impacts will be minimized and fully mitigated, there will be no increase in Project impacts to the Covered Species with this Amendment. Impacts will be minimized and fully mitigated through the implementation of measures required by Incidental Take Permit No. 2081-2019-034-04, as amended. Measures include: 1) Weekly Compliance Reports; 2) establishment of avoidance zones; 3) worker education; and 4) permanent habitat protection.