

CEQA Program, Lead Agency Preliminary Review
Standard Operating Procedure

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Introduction

This standard operating procedure (SOP) describes the protocol for conducting Lead Agency (LA) reviews in compliance with the California Environmental Quality Act (CEQA). The California Geologic Energy Management Division (CalGEM) CEQA Program conducts a LA review when it is required to issue a discretionary approval of a project and:

1. There is no local (city or county) permitting agency for a proposed project;
2. A proposed project is on federal land;
3. CalGEM staff, as part of a Responsible Agency (RA) review of a proposed project, determines that CalGEM cannot rely on the LA's document to comply with CEQA because the LA's document does not apply to the project at issue or CalGEM determines a subsequent document is warranted pursuant to Cal. Code of Regs., tit. 14, (14 CCR) § 15162;
4. The local or State LA relied on an exemption for a proposed project, and the CalGEM RA review determines that CalGEM should not rely on an exemption to comply with CEQA;
5. The proposed project is a State orphaned well plug and abandonment proposed project;
6. The LA did not prepare any environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate LA (14 CCR § 15052);
7. The LA prepared inadequate environmental documents without consulting CalGEM as required by 14 CCR §§ 15072 or 15082, and the statute of limitations has expired for a challenge to the action of the appropriate LA; or
8. The proposed project is a CalGEM-initiated rulemaking.

This SOP assists the CEQA Program's Preliminary Review Project Manager (PM) in conducting a Preliminary Review (PR) of a proposed project. (14 CCR §§ 15060-15062.) This SOP shall be used in conjunction with the Preliminary Review Form, CEQA statute, CEQA Guidelines, and case law as well as other CalGEM CEQA Program SOPs.¹ Prior to considering any deviation to this SOP, consult with the CEQA Program Senior (Senior) assigned to the proposed project to discuss and obtain written approval.

Separate SOPs cover the filing of a Notice of Exemption² (NOE) if a proposed project is found to be exempt from CEQA and the preparation of a CEQA document³ if the PR determines one is required for CEQA compliance.

CalGEM CEQA Role

For discretionary actions, CalGEM may act as either the LA or as an RA under CEQA. (Pub. Resources Code (PRC), §§ 21067, 21069; 14 CCR §§ 15050, 15096, 15367, 15381.) The responsibility and breadth of information required to be created or evaluated differs between the LA and RA roles.⁴ As an LA, CalGEM must first determine if an activity is a "project" requiring CEQA review. All permits and project approvals that CalGEM reviews, as well as the promulgation of regulations, are considered discretionary projects under CEQA. (14 CCR § 15378.) After an LA determines that an activity is a project under CEQA, the agency should then determine whether the proposed project is exempt from full CEQA review. If the project is fully exempt, CalGEM can prepare and submit an NOE to the State Clearinghouse. If the project is not

¹ CEQA Program/Documents/General/1. Admin/03. Procedures-CEQA Program/01. 2022-2023 Procedures.

² For instruction on filing an NOE with the State Clearinghouse see – yet to be written- Filing an NOE SOP.

³ For instruction on preparing a CEQA document, consult "CEQA Document Preparation Standard Operating Procedure."

⁴ The LA has responsibility to consider all potential project impacts.

exempt, CalGEM will prepare an initial study (IS) to assess the project's potential environmental impacts and their significance according to CEQA.

Plug and abandonment and reworks on oil, gas, injection, and geothermal wells are sometimes exempt per CalGEM's regulations (14 CCR) §§ 1684.1 and 1684.2).

LA Preliminary Review

The CEQA Program prepares a preliminary review (PR) to analyze whether a proposed project may be exempt from a full CEQA review and to recommend whether CalGEM should find the proposed project exempt or require an IS. The analysis of a proposed project includes all activities above and below the earth's surface. (14 CCR §§ 15060, 15061.)

The analysis and recommendation(s) in a PR depend on an operator providing CalGEM with accurate and complete information regarding the activities and other information needed to evaluate the potential environmental impacts of a proposed project. When a proposed project is a State plug and abandonment, the CalGEM District in which the proposed project is located will provide documents for analyzing the proposed project. When a proposed project is a rulemaking, the Department of Conservation's (DOC) Office of Legislation and Regulatory Affairs, will provide documents for analyzing the rulemaking. Inaccurate or outdated CEQA information will delay the CEQA review process and may result in enforcement action upon consultation with DOC's Legal Office. Additionally, CalGEM reserves its discretionary authority to rescind, alter, or reconsider its CEQA PR for the proposed project.

LA Review Process: Preliminary Review Form

The CEQA Program uses the "Preliminary Review Form" in conjunction with this SOP to guide the PM through a PR of a proposed project. The form is divided into six sections, each of which is described below.

I. Project Information

The purpose of this section is to provide basic information about the proposed project.

Information needed to complete this section can be found in WellSTAR, the proposed project's project description, and in the proposed project file that would be used to create an administrative record under CEQA.

Permit Applicant. For oil and gas projects, enter the operator's name in this line. For State plug and abandonment projects, CalGEM is the Permit Applicant. For rulemaking projects, enter "Department of Conservation" in this line.

CalGEM Project Name. For oil and gas and UIC projects, the name is assigned using the CalGEM CEQA Program's Project Naming Convention SOP. For geothermal projects, the proposed project name is given by the operator and is on documents submitted in the initial application. For State plug and abandonment projects use, the name given by CalGEM's Well Abandonment Program. For rulemaking, enter the title of the rulemaking.

Project Location

Field, if any. If a proposed project is located in an oil, gas, or geothermal field, enter the name of the field. If a proposed project is an exploratory well and located within 3,200 feet of a field, enter the name of the field and note the distance from the wellhead to the field boundary line. If a proposed project is not located inside a field, leave this entry blank.

County and City. Enter the county or counties in which a proposed project is located. If the proposed project is within a city boundary, enter the name of the city or cities. For rulemaking, enter "Statewide."

CalGEM District. Enter the District(s) in which a proposed project is located. For rulemaking, enter "Headquarters."

Project Information Summary

Ownership. Ownership refers to who owns the surface (i.e., the land the project sits on) and mineral rights for the project. Check the boxes that apply to the proposed project. For rulemaking, do not fill out this section unless the rulemaking is specific to a type of ownership.

Project Type. Project Type refers to the CalGEM program for which an operator has applied for a permit or project approval. Each program section is further divided into the type of permit or approval. Check the boxes that apply to the proposed project.

Abbr.	Program	Type of Permit or Approval
O&G	Oil and Gas	New Drill (well), Rework, or Redrill P&A (plug and abandoning a well)
UIC*	Underground Injection Control	New Project, Modification, Transfer, Merge, Project by Project review
UGS	Underground Gas Storage	New Drill (well), Rework, Redrill P&A (plug and abandoning a well)
WST	Well Stimulation Treatment	Permit
GEO	Geothermal	Exploratory, Field Development, Single well

* Note: UIC Project Approval Letter (PAL) projects are submitted/identified in WellSTAR as "Application for Injection Approval." UIC New drill or rework projects are submitted/ identified in WellSTAR as a Notice of Intent (NOI).

Quantity of Wells. Quantity of Wells is required as it assists in describing the proposed project and assist with project analysis. Quantity of wells describes the number of wells of each type associated with the project being reviewed. The Quantity of Wells is provided by the operator.

UIC Project Code. The UIC Project Code is a unique project identifier assigned to a UIC project that allows for consistent internal and external consistent data management. The UIC Project Code number can be found in WellSTAR, Step 4. Well Information 1.

UGS Project Code. The UGS Project Code is a unique project identifier assigned to a UGS project that allows for consistent internal and external consistent data management. The UGS Project Code number can be found in WellSTAR, Step 4. Well Information 1.

WellSTAR Form ID. The WellSTAR Form ID (identification) is a unique number that WellSTAR generates and assigns to an NOI. NOIs are the individual approvals for components or stages of the proposed project, such as drilling a well. CalGEM's approvals for a single UIC project will consist of one Project Approval Letter and an NOI to drill for each well associated with the UIC project.

Application and/or NOI Type. The Application Type identifies whether the form submitted by the operator on WellSTAR is an Application for Injection Approval for a New UIC Project (UIC Project Code is assigned), Modify Project, Transfer Project, or Merge Project. This is found under "Tab 1. Form Information" in WellSTAR. The NOI type identifies whether the form submitted by the operator on WellSTAR is a Notice of Intention for a New Drill, Rework, Sidetrack, Abandon.

Project Activity Type. The Project Activity Type indicates the proposed activity and the program it belongs to. For Applications for Injection Approval, the project activity type describes the type of UIC projects,

such as waterflood injection, steamflood injection, cyclic steam injection, disposal, etc. This information can be found in "Tab 3. Project Information" in WellSTAR or in the project description. For NOIs, the project activity type should describe the activities proposed by the operator in the NOI or group of NOIs. Specific project details can be found in the project description provided by the operator and found under "Tab 6. Document Upload" in WellSTAR.

II. Federal Agency Documents (NEPA)

The purpose of this section is to document the review of federal documents when a proposed project is located wholly or partially on land where the federal government is the surface and/or mineral rights owner. When completing this section, consult CEQA Program "Review and Use of NEPA Documents in Lieu of CEQA Documents SOP."⁵

Information needed to answer the questions and complete this section can be found in the file for the proposed project and under "Tab. 10 CEQA Information" in WellSTAR.

Federal Nexus

This section is provided to determine whether a project has a federal component. This information can be found under "Tab. 10 CEQA Information" in WellSTAR. If the project does not have a federal component, this section should be marked as "No" and can be skipped.

Documents Submitted

This section is provided to document the federal documents submitted as part of the application and reviewed by the PM. Check the box for each document submitted.

NEPA documents submitted can include:

Sundry Notice: The Sundry Notice is a BLM form that is used to request changes to the Surface Use Plan of Operations. This type of notice is submitted when an operator requests to perform work that is not covered by another permit or to change operations in a previously approved application for permit to drill (APD), such as for reworking a well.

Categorical Exclusions (CE): A categorical exclusion is a category of actions that a federal agency has determined normally do not have a significant effect on the human environment and for which, therefore, neither an environmental assessment nor an environmental impact statement is required (40 CFR §§ 1501.4, 1508.1(d)).

Environmental Assessment (EA): If a federal agency determines that a CE does not apply to a proposed project, the federal agency may prepare an environmental assessment (EA). The EA is a concise public document that a federal agency prepares to analyze the potential for significant impacts and determine whether to prepare an environmental impact statement or a finding of no significant impact. (40 CFR §§ 1501.5, 1508.1(h)).

Finding of No Significant Impact (FONSI): If the NEPA lead agency determines that the proposed project will not have a significant environmental impact, the agency will issue a FONSI. A FONSI document presents the reasons why the agency concluded that there was no significant environmental impact on the human environment associated with the proposed project. The FONSI may incorporate mitigation

⁵ Review and Use of NEPA Documents in Lieu of CEQA Documents SOP can be found on the CEQA Program's SharePoint site.

measures or “commitments” into the proposed project. (40 CFR §§ 1501.6, 1508.1(l).)

Determination of NEPA Adequacy (DNA): A DNA is a determination that a proposed project is adequately analyzed in an existing NEPA document (EA or EIS) and conforms to the approved land use plan. If the proposed project is covered by a DNA, no additional NEPA review is required.

Environmental Impact Statement (EIS): An EIS is a comprehensive document that analyzes the impacts of a proposed project that will have significant effect on the human environment. An EIS is a longer document than an EA and offers more opportunities for public comment and/or involvement than an EA. (40 CFR §§ 1502.3, 1508.1(j).)

NEPA Documents and CEQA Compliance

This section prompts the PM to review any federal documents submitted by the operator and compare the information within the documents to CEQA Appendix G to determine whether the NEPA document covered all of the topics identified in CEQA Appendix G.

Attachment 1 of the Preliminary Review Form, NEPA, CEQA Impact Analysis Comparison Form, is provided to guide the PM’s comparison of the NEPA documents to CEQA Appendix G. Guidance on completing the form is in section Attachment 1 of this SOP.

NEPA Number

This section documents the NEPA number associated with the proposed project’s federal documents. This number is found at the top of each NEPA document.

Example: DOI-BLM-CA-C060-2020-0013-EA

NEPA Lead Agency

This section documents the NEPA lead agency associated with the proposed project. The information for this section is found in WellSTAR, “Step 10. CEQA Information.” Often, the NEPA lead agency for a project submitted to CalGEM is the Bureau of Land Management (BLM). Other NEPA Lead Agencies include, but are not limited to, US Fish and Wildlife Service, National Park Service, US Army, and US Navy.

Record of Decision/Decision Record

This section is provided to identify whether the applicant submitted an approved Record of Decision (ROD) or Decision Record. For projects that have an EIS, the ROD is prepared after the final EIS and is the conclusion of the EIS process. (40 CFR § 1505.2.) For EA-level projects, BLM issues a Decision Record to document decisions for EA-level actions.

Application for Permit to Drill (APD)

This section is provided to document and list the APDs associated with the proposed project. For projects where BLM is the NEPA Lead Agency, an APD is issued for each well approving the action to drill the proposed well. In this section, the information entered will be the APD(s) associated with the well name(s) in the proposed project and the date each APD was approved.

Example: APD for USL 17-06R, approved: 3/29/2022; APD for USL 14-30CR, approved: 3/29/2022

III. Local Agency Requirements ([CEQA](#))

The purpose of this section is to link any previous RA analysis the CEQA Program performed on a proposed project. Linking an RA review to a subsequent LA review assists the CEQA Program with record keeping and managing the administrative record for a proposed project. In addition to completing this section of the PR form, if the PM has not already done so, move the proposed project's RA review form from the RA folder into the administrative record folder for the proposed project.

IV. Potential Impacts Identified

Operators commonly ask CalGEM to rely on exemptions that are unlikely to apply by their terms or because an exception to the exemption exists. The purpose of this section is to identify and summarize common project elements and impacts that may indicate that an exemption does not apply and document the need for full CEQA review or to identify whether there are any exceptions to the exemptions being considered. If the PM marks "yes" for one or more items in this section, this signifies that the PM has identified that the proposed project may result in a direct or reasonably foreseeable indirect physical change in the environment. This will also be noted in the Staff Recommendation section on the form where the PM will recommend that an IS may be needed for the proposed project. If the Senior assigned to the proposed project agrees with the recommendation, the recommendation will be sent to CalGEM Management for approval. (See the Staff Recommendation section of this SOP for more information.)

Information needed to answer the questions and complete this section can be found in WellSTAR, the project description, and the proposed project file for the administrative record.

Biological Impacts

This section is provided to record any State listed threatened and endangered (T&E) or rare species and habitat in the proposed project area. Review any biological surveys and reports submitted by an operator for the proposed project. Check the "California Department of Fish and Wildlife (CDFW) Oil Field Specific Writeups" folder on SharePoint to see if there is a writeup for the oil field in which the proposed project is located. If there is a writeup, review it. If an operator did not submit a biological survey or report and there is no CDFW writeup, conduct a search of CDFW's California Natural Diversity Database (CNDDDB).

If yes, explain here. On this line in the form, describe why the project will have an impact on biological resources and their habitat. If no, describe why the project will not have an impact on biological resources and their habitat.

When a proposed project is located on federal land, review any biological surveys and reports submitted by an operator along with the Federal Biological Opinion, which should have been submitted with the proposed project's application. These documents will list federally listed T&E or rare species and habitat in the proposed project area but may not list State T&E or rare species and habitat. Consequently, the PM will need to compare the CNDDDB report and/or the CDFW Oil Field Specific Writeups with the Federal Biological Opinion to determine if there are State listed T&E or rare species and habitat within the proposed project area. If there are State T&E or rare species in the proposed project area that are not addressed in the Federal Biological Opinion, the PM should direct the operator to consult with the National Environmental Policy Act (NEPA) LA to discuss updating the Federal Biological Opinion to address those species. The PM should consult the Senior assigned to the proposed project for guidance when the NEPA LA is not able to update the Federal Biological Opinion with State listed species and/or habitat.

Source. If a proposed project's documentation lists any T&E or rare species and habitat in the proposed project area, enter the name of the document in "Source" line.

Example: CDFW Oil Field Specific Writeups [oil field name]; Biological survey; and/or Federal Biological Opinion.

List State Species Potentially Impacted. If a proposed project's documentation lists any State T&E or rare species or habitat in the proposed project area, enter both the common and scientific name of each species along with the species status (i.e., threatened, endangered, or rare); italicize the scientific name.

Example: blunt-nosed leopard lizard (*Gambelia sila*), State and federally endangered and State fully protected

California jewelflower (*Caulanthus californicus*) State and federally endangered

List Federal Species Potentially Impacted. If a proposed project's documentation lists any federal threatened, endangered, or rare species or habitat in the proposed project area, enter both the common and scientific name of each species along with the species status (i.e. T&E, or rare); italicize the scientific name. Identify whether the NEPA document covers all the identified State T&E or rare species from the previous section. If not, list the State T&E or rare species that are not discussed in the NEPA document below.

Example: Kern mallow (*Eremalche parryi* ssp. *Kernensis*) federally endangered

San Joaquin woolly threads (*Monolopia congdonii*) federally endangered

Example: The EA identified several biological species that could be impacted and proposed mitigation measures. However, there is one species identified in the State listing, golden eagle, as State fully protected that was not examined in the EA. Therefore, as there is a potential for biological impacts associated with grading areas that was not addressed in the Federal Biological Opinion, there is a potential for impacts to biological resources not identified in the Findings of No Significance.

Change in Existing Use

The purpose of this section is to document if the proposed project will change the existing use of an existing project. A change in the existing use of an existing project may result in short-term and/or long-term impacts that were not evaluated when original project was permitted or may indicate that the project does not qualify for an exemption.

An example of a change in an existing use is:

- Converting an existing oil and gas well to an injection well or underground gas storage well. This is sometimes generally referred to as "rework."

If yes, explain here. On this line in the form, describe the change in the existing use. If no, describe why work is not a change in existing use. Describe the work or reference the project description as needed for clarity.

Change in Existing Facilities

The purpose of this section is to document if the proposed project will result in a change in the existing facility of an existing project or

construct a new facility. In this context, a change in existing facilities requires new construction that may result in short-term and/or long-term impacts that were not evaluated when original project was permitted or may indicate that the project does not qualify for an exemption.

Examples of a change in existing facilities are:

- The addition of one or more UIC wells to an area that previously had none.
- The construction of a new well pad and/or new well.
- The deepening of an existing well.

If yes, explain here. On this line in the form document the change in the existing facility. If no, describe why work is not a change in existing facilities. Describe the work or reference the project description as needed for clarity.

Cumulative Impacts

The purpose of this section is to document if the incremental impacts of the proposed project are potentially significant when added to other closely related past, present, and probable future projects.

Example: The proposed project would add five new production wells to the oil field. Doing so has the potential to increase the cumulative impacts of loss of habitat for the blunt-nosed leopard lizard and increase the release of greenhouse gasses.

If yes, explain here. On this line in the form, document the cumulative impacts. If no, clearly state no and how that was determined.

Other Potential Environmental Impacts

The purpose of this section is to document any potential environmental impacts that the PM identified during a review of the proposed project that may adversely affect human health, including the health of sensitive receptors or disadvantaged communities, or that may affect the application of an exemption to the project. Factors commonly associated with adverse environmental impacts affecting human health include, but are not limited to, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, transportation, traffic, utilities, and climate change.

Example: The proposed project is located 1,000 feet from a new housing development. The proposed project may impact nearby residence with noise, light, and air pollution.

If yes, explain here. On this line in the form, document the other potential environmental impacts identified. If no, state no and how that was determined.

V. Review of Potential Exemptions

Every LA PR shall consider the possibility that a proposed project may be exempt from further CEQA review under a statutory or categorical exemption. Plug and abandonment and reworks on oil, gas, injection, and geothermal wells that are not a part of a geothermal power plant might be exempt per CalGEM's regulations (14 CCR § 1684.1) and the CEQA Guidelines (14 CCR § 15301). Section V. Review of Potential Exemptions on the PR form lists exemptions that the CEQA Program identified that may apply to a proposed project. The list is not exhaustive, as there is the potential that an exemption that has not been identified in previous PRs may apply to a new proposed project.

Every exemption and its application to a proposed project is different, and case law regarding exemptions can evolve or provide additional insight for application. The PM shall reread applicable statutes and regulations before applying an exemption to a proposed project and confer with the Senior and Legal Office as appropriate.

Potential Impacts Identified from Section IV on the PR form should assist the PM in determining if an exemption applies to a proposed project.

Statutory Exemptions (14 CCR § 15260 et seq.)

Statutory exemptions are exemptions in the CEQA statute and apply regardless of any exception to exemptions found in the CEQA Guidelines.

Ongoing Project (Pre-CEQA; approval prior to April 5, 1973) (PRC § 21169, 14 CCR § 15261(b)). This exemption may apply when no physical or operational changes are proposed. However, the proposed project approval(s) must not “involve a greater degree of responsibility or control over the project as a whole than did the approval or approvals prior to [April 5, 1973].” Consistent with court decisions involving CalGEM-issued approvals, most proposed projects will not qualify for this exemption. Confer with the Legal Office before applying this exemption.

This exemption applies only when a proposed project is incidental to or an intrinsic part of the original pre-CEQA project. It does not apply when a project constitutes a material expansion of the pre-CEQA project. It does not apply to new oil and gas wells, well stimulation, or injection wells.

Declared Emergency (PRC § 21080(b)(3), 14 CCR § 15269(a)). This includes projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed due to a disaster in a disaster-stricken area in which the Governor proclaimed a state of emergency under the California Emergency Services Act (Gov. Code, § 8550 et seq.).

The CEQA Program envisions this exemption may be used in areas where geothermal or oil and gas resources and facilities have been damaged by an earthquake, flood, fire, or terrorist attack that results in the immediate need to repair those facilities. This exemption may likely be used in conjunction with the Emergency Projects exemption.

Emergency Projects (PRC § 21080(b)(4), 14 CCR § 15269(b), (c)). This includes actions necessary to prevent or mitigation an emergency. “Emergency” means “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.” An emergency “includes such occurrences as ... soil or geologic movements, as well as ... accident[.]” (14 CCR § 15359.) Subject to certain limitations, this exemption does not include long-term projects undertaken to prevent or mitigate a situation that has a low probability of occurrence in the short-term.

For CalGEM to apply this exemption to a proposed project, there must be clear evidence (e.g., studies, documented history, expert opinion) to substantiate each element of the claim of 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.

Example: See the preliminary review for Chevron 072022-001 on the CEQA Program's SharePoint site.

Pipelines (PRC §21080.23, 14 CCR § 15284). Subject to certain limitations, this applies to proposed projects consisting of the inspection,

maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of an existing hazardous or volatile liquid pipeline or any valve, flange, meter, or other piece of equipment that is directly attached to the pipeline.

The CEQA Program envisions this exemption may be used for a State plug and abandonment project that includes the removal of pipelines; or in conjunction with either or both the Declared Emergency and Emergency Projects exemptions when repair or removal of pipelines is part of the proposed project.

Categorical Exemptions (14 CCR § 15300 et seq.)

The CEQA Guidelines include a list of classes of projects that were determined not to have a significant effect on the environment and therefore are exempt from full CEQA review. The exemptions are referred to as "categorical exemptions." (14 CCR § 15300.)

The CEQA Guidelines include six exceptions to relying on a categorical exemption. (14 CCR § 15300.2.) If a PM determines that a proposed project may qualify for a categorical exemption, the PM must then determine if any of the exceptions apply. If an exception applies, that categorical exemption cannot be used to exempt a proposed project from further CEQA review.

Prior to applying a categorical exemption, the PM shall reread 14 CCR § 15300.2 to ensure that an exception to an exemption does not preclude its use. Responses in Section III. Potential Impacts Identified in the PR form should assist the PM in determining if an exemption applies to a proposed project.

The six exceptions to categorical exemptions are:

Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the proposed project is to be located – a proposed project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the proposed project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. (14 CCR § 15300.2(a).)

Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive proposed projects of the same type in the same place, over time is significant. (14 CCR § 15300.2(b).)

Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (14 CCR § 15300.2(c).)

Scenic Highways. A categorical exemption shall not be used for a proposed Project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR. (14 CCR § 15300.2(d).)

Hazardous Waste Sites. A categorical exemption shall not be used for a proposed project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. (14 CCR § 15300.2(e).)

Historical Resources. A categorical exemption shall not be used for a proposed Project which may cause a substantial adverse change in the significance of a historical resource. (14 CCR 15300.2(f).)

The following categorical exemptions may apply to certain proposed oil, gas, geothermal, or rulemaking project absent an exception described above:

Class 1: Existing Facilities (14 CCR §§ 15301, 1684.1). Class 1 is in the CEQA Guidelines and is incorporated into CalGEM's oil and gas regulations as 14 CCR § 1684.1. Under the CEQA Guidelines, Class 1 includes the permitting and minor alteration of "existing public or private structures, facilities, mechanical equipment, or topographical features, *involving negligible or no expansion of existing or former use.*" (Emphasis added.)

CalGEM's regulation states: "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 involving the 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."

The Class 1 exemption may apply to proposed project types listed in the regulation as well as to UIC project by project reviews and to intercept well projects where the original well will be plugged and abandoned. The key consideration is whether the project's relationship to the existing facilities involves negligible or no expansion of an existing use.

The Class 1 exemption does not apply to new oil and gas wells, well stimulation, or injection wells.

Class 2: Replacement or Reconstruction (14 CCR § 15302). This exemption "consists of 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[.]"

The Class 2 exemption may apply to an underground gas storage facility where new wells are added to maintain level of service of the facility.

Class 3: New Construction/Conversion of Small Structures (14 CCR § 15303). "Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure."

The CEQA Program envisions this exemption may be used in conjunction with other exemptions. If contemplating the use of this exemption, speak to a Senior in the CEQA program prior to finalizing the PM recommendation on the LA PR form.

Class 4: Minor Alterations to Land (14 CCR §§ 15304, 1684.2). Class 4 is in the CEQA Guidelines and is incorporated into CalGEM's oil and gas regulations as 14 CCR § 1684.2. Under the CEQA Guidelines, Class 4 "consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes." CalGEM's regulation states: "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."

The Class 4 exemption may apply to reworking of an existing well (e.g. changing the location of perforations in well casing or cleaning the wellbore).

The Class 4 exemption may not apply to reworks that will result in an increase in the production of the well beyond previously approved capacities.

Class 6: Information Collection (14 CCR § 15306). Class 6 "consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance in an environmental resource."

This exemption could potentially apply to a proposed project for one or more new observation wells or conversion of an existing well to an observation well. Data collected by the well(s) includes, but is not limited to, temperature and pressure.

Class 7: Protection of Natural Resources (14 CCR § 15307). Class 7 "consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment."

CalGEM has applied this exemption to rulemaking projects. The CEQA Program envisions that this exemption may be applied in conjunction with one of more of the following exemptions: Class 8, Protection of the Environment (14 CCR § 15308); Declared Emergency (PRC § 21080(b)(3), 14 CCR § 15269(a)); and Emergency Projects (PRC § 21080 (b)(4) 14 CCR § 15269(b), (c)).

Class 8: Protection of the Environment (14 CCR § 15308). Class 8 "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment." Class 8 does not include "construction activities and relaxation of standards allowing environmental degradation."

CalGEM has applied this exemption to rulemaking projects. The CEQA Program envisions that this exemption may be applied in conjunction with one of more of the following exemptions: Class 7, Protection of Natural Resources (14 CCR § 15307); Declared Emergency (PRC § 21080(b)(3), 14 CCR § 15269(a)); or Emergency Projects (PRC § 21080(b)(4) 14 CCR § 15269(b), (c)).

Class 11: Accessory Structures (14 CCR § 15311). Class 11 "consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities[.]"

The CEQA Program envisions this exemption may be used in conjunction with one or more of the following exemptions: Class 3, New Construction/Conversion of Small Structures; Class 4, Minor Alterations to Land; Declared Emergency (PRC § 21080 (b)(3), 14 CCR § 15269(a)); or Emergency Projects (PRC § 21080(b)(4) 14 CCR § 15269(b), (c)).

Class 30: Minor Actions to Prevent, Minimize, Stabilize, Mitigate, or Eliminate a Release (Actual or Threat) of Hazardous Substances (Waste or Material) (14 CCR § 15330). Subject to certain limitations, Class 30 "consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a

hazardous waste or substance which are small or medium removal actions costing \$1 million or less."

The CEQA Program envisions this exemption could be used in conjunction with one or more of the following exemptions: Class 4: Minor Alterations to Land; Class 7, Protection of Natural Resources (14 CCR § 15307); Class 8, Protection of the Environment (14 CCR § 15308); or Emergency Projects (PRC § 21080(b)(4) 14 CCR § 15269(b), (c)).

Class 33: Small Habitat Restoration Projects (14 CCR § 15333). Subject to certain limitations, Class 33 "consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife."

The CEQA Program envisions this exemption may be applied to plug and abandonments as part of a larger project to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife.

General Exemption

Common Sense Exemption (14 CCR 15061(b)(3)). The CEQA Guidelines establish the commonsense exemption. It typically applies when a project qualifies for neither a statutory nor categorical exemption. The exemption states:

"A project is exempt from CEQA if: ... The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." (40 CCR § 15061(b)(3).)

In the context of a rulemaking project, where sections of the rulemaking are administrative (such as record keeping) this exemption could be applied in conjunction with Class 7, Protection of Natural Resources (14 CCR § 15307) and Class 8 Protection of the Environment (14 CCR § 15308) exemptions.

VI. [Rationale that Supports Selection of Each Applicable Exemption](#)

Fill out this section when an exemption is found to apply to the proposed project or if no exemptions apply, give a brief explanation as to why none of the exemptions apply to the project. For each applicable exemption:

- (1) Name the exemption(s);
- (2) Provide the rationale supporting the exemption, referring to aspects of the proposed project that lend it to being exempt from further CEQA review and the elements of the exemption that apply to elements of the proposed project;
- (3) Conclude the paragraph by stating the exemption does apply.

Examples of well stated rationales for use of an exemption:

Class 1, Existing Facilities (14 CCR §§ 15301, 1684.1)

This rework is a cement squeeze of perforations, plug back, and reperforating and is considered a minor alteration of the well in order to ensure continued O&G production. These minor alterations will ensure the operator can continue to safely and efficiently using the well as a production well. In addition, the Project Description indicates and no changes to the structure of the well (the wellbore) are proposed. Therefore, there is no expansion of use beyond that previously existing.

The proposed project is a project-by-project review for the purpose of updating an existing PAL to current UIC regulations. No new wells, well modifications, or surface disturbances are proposed at this time. Therefore, as the project is an update to the permitting of an existing facility, the proposed project is eligible for the Class 1 exemption.

This sidetrack and rework includes assessing the mechanical integrity of casing and installing cement casing, running inspection logs, pressure testing the casing, and running new completion tubing flow. The work is considered to be maintenance and/or repair work because the purpose is to assess the mechanical integrity of casing and conduct any necessary repairs. The work is also considered remedial because the sidetrack will allow for the well to have a larger diameter casing to accommodate new tubing that is necessary to maintain deliverability while complying with CalGEM's heightened well construction standards and safety regulations. This required well construction upgrade, will maintain or diminish the throughput capacity of the reworked gas storage well resulting in negligible or no expansion of the existing use.

Class 2, Replacement or Reconstruction (14 CCR § 15302)

Class 2 exemption applies as CalGEM's regulations state: "Class 2 consists of 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." The proposed project involves rework consisting of logging, cementing, and adding perforation to plug back an existing well structure to maintain its existing purpose and capacity and return the well to its historical operations. The proposed rework may be considered a reconstruction of the existing well casing with no expansion of capacity. A district engineer has reviewed the existing UIC permit 010-00-07 and confirmed that the proposed work is within the scope of the UIC project and the use of the well and its capacity are limited by the existing permit.

The proposed Project includes the sidetrack, or replacement/reconstruction of the existing wellbore, which is needed to accommodate new CalGEM compliant tubing. The sidetrack will utilize the upper portion of the well on an existing well pad, and no additional construction will occur. The sidetracked well will serve the same purpose as other UGS wells in the Aliso Canyon Facility and continue to provide the same measure of deliverability or capacity.

Class 4, Minor Alterations to Land (14 CCR §§ 15304, 1684.2)

The proposed project consists of a workover to plug off the lower zone and perforate the Temblor zone. Temporary equipment such as rigs, pumps will be used but once the job is completed the equipment will be removed from the project location. No new permanent facilities will be constructed, all work activities are subsurface, and no expansion of associated facilities will be implemented. The type of well work associated with the project is consistent with the types of well activities which CalGEM typically applies the Class 4 exemption (e.g., reworking and plugging and abandoning wells). Exceptions to the Class 4 exemption (14 CCR § 15300.2) do not apply as work will be performed in areas already disturbed and maintained for oil and gas operations. Therefore, the proposed Project is eligible for a Class 4 exemption.

The proposed project involves only subsurface activities and would be conducted entirely on an existing pad, and when combined with existing roads, has enough space to contain all equipment. The project would not disturb any undisturbed areas and is located within an industrial area. The rework would not expand the facility and is conducted in order to comply with CalGEM safety regulations

(remedial) and maintain level of service. No changes to the condition of the land, water, air, or vegetation are anticipated. Therefore, the proposed project “consists of drilling 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.”

Class 6, Information Collection. (14 CCR § 15306)

The proposed project would construct seven pressure observation wells on previously disturbed ground. The purpose of the wells is not for the production of oil and gas, but rather the wells will be used to monitor and collect data on reservoir pressure in response to water injection. A biological survey submitted with the application indicated there are no signs of State listed species or habitat in the proposed project area. A cultural resource survey submitted with the application found no evidence of cultural resources in the proposed project area. Furthermore, due to the nature of the proposed project, the collection of data the project should not result in any ongoing impacts to environmental resource. The Class 6 exemption therefore applies, as is it involves basic data collection that will inform CA Oil Company in managing the Water Disposal Project.

The proposed project would maintain an existing observation well and convert a production well to an observation well. The purpose of the wells is not to produce oil or gas. Rather, the wells will be used to monitor and collect data regarding potential upward fluid migration within a portion of UIC project 43200024. The data collection will inform the operator and CalGEM in managing and regulating, respectively, existing UIC operations. Therefore, the proposed will not result in any serious or major disturbance to an environmental resource such as species and the Class 6 exemption applies.

Classes 7 and 8, Protection of Natural Resources and the Environment (14 CCR §§ 15307, 15308)

As demonstrated in the record, the sidetrack and rework will result in a larger diameter casing which is necessary to accommodate new CalGEM compliant tubing. The sidetrack and rework will ensure compliance with the regulations CalGEM promulgated in 2018, that establish standards for the design, construction, and maintenance of all gas storage wells. The regulations include stringent well construction standards that decrease the risk for adverse impacts to natural resources in the area. CalGEM has statutory and regulatory authority to protect natural resources and the environment. The sidetrack and rework of this well would ensure that potential impacts to natural resources and the environment are minimized, and the approval for the sidetrack and rework will also include regulatory conditions that protect natural resources and the environment. Therefore, the well sidetrack and rework operations would assure the maintenance, restoration, enhancement, and/or protection of a natural resource and the environment.

VII. Staff Recommendation

The purpose of this section is for the PM reviewing a proposed project to state their recommendation that, based on the PM's analysis, a proposed project (1) is not exempt and an IS should be prepared, or (2) is exempt from further CEQA review. If the proposed project has federal surface ownership, the PM may recommend relying on the NEPA documentation in lieu of a CEQA document to the extent the NEPA documentation satisfies CEQA's requirements (discussed more in detail below).

Initial Study (can include Addendum)

If the PM recommends that additional environmental review is required, whether an IS or an addendum be prepared for the proposed project, the PM will notify the Senior CEQA staff assigned to the proposed project of the recommendation. Senior staff will review the LA PR form and, if the Senior staff agrees with the recommendation, will direct the PM to (1) complete the Signatures and Date Completed section of the LA PR form, and (2) obtain Management's approval of the recommendation. Senior staff may recommend legal review of the LA PR form prior to completing the two steps.

Exemption(s)

If the PM recommends that a proposed project is exempt from further CEQA review, before completing the next section (Signatures and Date Completed), the PM will request that an attorney in the Legal Office review the LA PR form and PM's recommendation. If the attorney agrees with the PM's recommendation that a proposed project is exempt from further CEQA review, the PM will complete the Signatures and Date Completed section of the form. If the attorney does not agree with the PM's recommendation, the PM will consult with the Senior and set a meeting to discuss the attorney's concerns. During the meeting, or at a later date, the Senior will decide if the PM will move forward with making a recommendation that a proposed project may be exempt from further CEQA review. If the recommendation is an exemption, the PM will complete the Signatures and Date Completed section of the LA PR form. (See the Staff Recommendation section of this SOP for more information.)

Accept the FONSI in lieu of a Negative Declaration or Accept the EIS in lieu of an EIR

For projects that contain federal surface rights, the PM shall determine whether the submitted NEPA documents can be relied on. If a FONSI and associated documents or an EIS are submitted with the proposed project, and the PM, after completing steps 1-4 and Attachment 1 of the PR Form, determine that the FONSI and EA or EIS meet the requirements of CEQA, the NEPA documentation can be used in lieu of a CEQA document to the extent the NEPA documentation meets CEQA requirements. If staff recommends relying on the NEPA documentation in lieu of CEQA documents, staff will notify the Senior assigned to the project of the recommendation. Senior staff will review the LA PR form and, if the Senior staff agrees with the recommendation, will direct the PM to (1) complete the Signatures and Date Completed section of the LA PR form, and (2) obtain Management's approval of the recommendation.

Do not accept considered NEPA document in lieu of CEQA without additional documentation or review

For projects that contain federal surface rights, the PM shall determine whether the submitted NEPA documents can be relied on. If the NEPA documents cannot be relied on as they currently stand and the PM determines that additional review, such as an addendum or supplemental documentation, be prepared for the proposed project, the PM will notify the Senior CEQA staff assigned to the proposed project of the recommendation.

Signatures and Dates Completed

Prepared by. The PM should use DocuSign to print their name and title, and to sign and date their signature.

Date. The date is the date the PM finalizes their recommendation of the proposed project.

Quality Assurance and Quality Control (QA/QC) Officer. The Senior CEQA Program staff assigned to the proposed project is the person who signs on the QA/QC Officer line. The Senior should use DocuSign to print their name and title, and to sign and date their signature.

Date. The date is the date the Senior completes their review of the PR and PM's recommendation of the proposed project.

Next Steps

Initial Study

If management approves the PM's recommendation for an IS, the PM will use the "E-mail Template – Initial Study Request from Operator" to notify the operator of the need for an IS. The PR PM will cc the CEQA Document PM in the email. The cc'd email to the CEQA Document PM is notification that the CEQA Document PM is now assigned the project manager role for processing the draft IS and environmental document if and when an operator submits them. The PR PM will brief the CEQA Document PM on the project details within five working days of the email being sent at a regularly scheduled CEQA program (UIC, O&G, or IS) meeting or a one-on-one meeting.

Exemption

If, after consultation with the assigned attorney, the CEQA Program determines that a proposed project is exempt from further CEQA review, the PM will utilize an NOE Template on the CEQA Program's SharePoint site to draft an NOE for the proposed project. Once the NOE is drafted, the PM will send the NOE to the Senior and attorney for review. Once the NOE is finalized and the project's permit, PAL, or rulemaking (in the case of a rulemaking the Secretary of State certifies the rulemaking) is approved, when appropriate, the PM will file the NOE with the State Clearinghouse. CEQA review of the proposed project is complete once the PM files a copy of the NOE with the State Clearinghouse and a screenshot of the posting in the proposed project's file for an administrative record.

Accept the FONSI in lieu of a Negative Declaration or Accept the EIS in lieu of an EIR

If management approves the PM's recommendation to accept the FONSI in lieu of a Negative Declaration or EIS in lieu of an EIR, the PM will follow the procedures in the NEPA Docs in Lieu of CEQA Docs SOP to complete the CEQA review process for the proposed project.

Tribal Notification

The PM should refer to the procedures in the NEPA Docs in Lieu of CEQA Docs SOP to proceed with the next steps.

If a proposed project is located wholly or partially on federal land and the PM's recommendation is to accept the NEPA Finding of No Significant Impact (FONSI) in lieu of a Negative Declaration, the PM will need to follow the AB 52 Tribal Notification process prior to permit(s) being issued on the proposed project. For Tribal Notification, follow the procedures in the AB 52 Tribal Consultation SOP on CEQA Program's SharePoint site.

Quality Assurance and Quality Control Process

A key component of information analysis is a thorough quality assurance and quality control (QA/QC) process conducted by the CalGEM CEQA Program. The CalGEM CEQA Program implements a robust QA/QC process that includes standardized procedures and documents, training, designated project Senior QA Officer(s), and, when appropriate, legal review. These components ensure that information reported by CalGEM CEQA Program staff is consistent and comparable and that the determination will be transparent, accountable, and defensible.

VIII. Attachment 1. NEPA, CEQA Impact Analysis Comparison Form

When a proposed project is located on federal land, the PM will use the CEQA Impact Analysis Comparison Form along with Sections I-V in the PR Review Form to assist them in making the determination if a NEPA EIS or Finding of No Significant Impact (FONSI) documents submitted in the proposed project's application may be used in lieu of a Negative Declaration or EIR.

CEQA Guidelines 14 CCR § 15221 states: "When a project will require compliance with both CEQA and NEPA, state or local agencies should use the EIS or finding of no significant impact rather than preparing an EIR or negative declaration if the following two conditions occur: (1) An EIS or finding of no significant impact will be prepared before an EIR or negative declaration would otherwise be completed for the project; and (2) The EIS or finding of no significant impact complies with the provisions of the [CEQA Guidelines]. Because NEPA does not require separate discussion of mitigation measures or growth inducing impacts, these points of analysis will need to be added, supplemented, or identified before the EIS can be used as an EIR."

Aesthetics. Review the proposed project's documents. Are there potentially significant impacts to Aesthetic Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The project occurs within an active portion of an oilfield on a federal oil lease and no impacts to aesthetic resources were identified in the EA.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Agricultural and Forestry Resources. Review the proposed project's documents. Are there potentially significant impacts to Agricultural and Forestry Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The project is located on a federal oil lease and compliant with BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Air Quality. Review the proposed project's documents. Are there potentially significant impacts to Air Quality that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No" then the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts, or why the impacts are less than significant.

Example: Less than Significant. Reviewed and found consistent with CEQA. Further, compliance with Air Quality standards will be enforced by CARB and the SJVAPCD under existing law.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Biological Resources. Review the proposed project's documents. Are there potentially significant impacts to Biological Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: Less than Significant. The Special Status Species information provided by CDFW indicates that there is potentially suitable habitat within the Project site that can serve as refugia, breeding, denning, foraging and dispersal habitat for protected species. Based on the field surveys and Sensitive Species Review Forms conducted by a consulting biologist for the project, federally and state listed species were absent from the project area and the 250-foot buffer during the surveys. The NEPA EA examined the species identified by CDFW as threatened or endangered. The project occurs within the Conserved Lands described in the Bakersfield RMP, which directs public lands within reserve areas (red zones) and habitat corridors (green zones) to be managed with disturbance limitations. Because the project occurs within a green zone habitat corridor, the EA discusses the compensation acres required by the RMP for the project. Additionally, the EA discusses the 2017 Oil and Gas Programmatic Biological Opinion 08ESMF00-2016-F-0683 which includes a conservation program that includes detailed monitoring, reporting, and survey requirements as well as additional measures to avoid and minimize impacts to listed species. The 2017 BO applies to the project and therefore the project is subject to the mitigation measures discussed in the EA. The implementation of these measures would reduce the potential for impacts.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Cultural Resources. Review the proposed project's documents. Are there potentially significant impacts to Cultural Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The NEPA EA discusses a Paleontological Mitigation Plan that, if implemented, would mitigate all potential impacts to paleontological resources as a result of project activities.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Energy. Review the proposed project's documents. Are there potentially significant impacts to Energy that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: Less than Significant. No additional impacts to Energy were identified.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Geology and Soils. Review the proposed project's documents. Are there potentially significant impacts to Geology and Soils that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is within a previously disturbed oilfield with numerous access roads, wells, pipelines, powerlines, and other associated oilfield infrastructure. Therefore, the soils found within the proposed project site are highly disturbed and particularly prone to erosion from water and wind.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Greenhouse Gas Emissions. Review the proposed project's documents. Are there potentially significant impacts to Greenhouse Gas Emissions that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: Less than Significant. Reviewed and found consistent with CEQA. Further, compliance with GHG emission standards will be enforced by CARB and the SJVAPCD under existing law.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Hazards and Hazardous Materials. Review the proposed project's documents. Are there potentially significant impacts to Hazards and Hazardous Materials that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: Less than Significant. No impacts to Hazards or Hazardous Materials were identified that were not discussed in the EA.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Hydrology and Water Quality. Review the proposed project's documents. Are there potentially significant impacts to Hydrology and Water Quality that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: Less than Significant. The NEPA EA states that the proposed project would not result in direct or indirect impacts to underground sources of drinking water or surface waters. Surface waters are not expected to be directly or indirectly impacted because the operator would implement all applicable Design Features/COAs for Surface, which would avoid erosion, sediment carry, and other potential impacts to the closest intermittent drainage in the Project area.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Land Use and Planning. Review the proposed project's documents. Are there potentially significant impacts to Land Use and Planning that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Mineral Resources. Review the proposed project's documents. Are there potentially significant impacts to Mineral Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Noise. Review the proposed project's documents. Are there potentially significant impacts to Noise that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is not located in the vicinity of sensitive receptors or subject to a noise ordinance or local standard.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Population and Housing. Review the proposed project's documents. Are there potentially significant impacts to Population and Housing that may result from the proposed project that are not discussed in the project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Public Services. Review the proposed project's documents. Are there potentially significant impacts to Public Services that may result from the proposed project on that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Recreation. Review the proposed project's documents. Are there potentially significant impacts to Recreation that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Transportation. Review the proposed project's documents. Are there potentially significant impacts to Transportation that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," then the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Tribal Cultural Resources. Review the proposed project's documents. Are there potentially significant impacts to Tribal Cultural Resources that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact expected. Reviewed and found consistent with CEQA. However, a Tribal Notification will be sent to identified Native American groups in accordance with PRC 21080.3.1 before a Negative Declaration will be adopted.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Utilities and Service Systems. Review the proposed project's documents. Are there potentially significant impacts to Utilities and Service Systems that may result from the proposed project that are not discussed in the proposed project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is located on a federal oil lease and compliant with the BLM RMP.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Wildfire. Review the proposed project's documents. Are there potentially significant impacts to Wildfire that may result from the proposed project that are not discussed in the project's NEPA documents?

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Points of Analysis: Explain where there are no impacts or why the impacts are less than significant.

Example: No Impact. The proposed project is not located in a Very High Fire Hazard Severity zone and due to the nature of the work, there is no potential that the proposed work will substantially impair an adopted emergency response plan, exacerbate wildfire risks, require the installation or maintenance of associated infrastructure that may exacerbate fire risk, or expose people or structures to significant risk as a result of runoff, post-fire slope instability, or drainage changes.

Yes. If the PM determines the answer is "Yes," the PM will then go onto describing the potentially significant impacts that are not in the NEPA documents.

Mandatory Findings of Significance

This section is only filled out only when an EIS is submitted for the proposed project. If the NEPA documents submitted with the project do not include an EIS, the PM shall checkmark "N/A" for the 3 questions in this section.

The purpose of this section is to provide discussion of mitigation measures or growth inducing impacts, which are not discussed in the NEPA documents, and provide points of analysis that will need to be added, supplemented, or identified before the EIS can be used as an EIR (14 CCR § 15221(b)). The three questions listed under this section serve as guidance and are from Appendix G of the CEQA Guidelines.

Does the EIS address whether the project has the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory? (14 CCR § 15065(a)(1).)

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Yes. If the PM determines the answer is "Yes," an explanation should be provided.

Example: The EIS, in its entirety, addresses and discloses all potential environmental effects associated with the construction and operation of the proposed well, including direct, indirect, and cumulative impacts in the resource areas outlined in Appendix G of the CEQA guidelines. Potential impacts related to habitat to wildlife species were discussed in the Biological Resources Section 4.4 of the EIS and were all found to be less than significant with mitigation. Additionally, potential impacts to cultural, archaeological, and paleontological resources related to major periods of California and the Buena Vista oil field history, or prehistory, were discussed in the Cultural Resources Section 4.5, and were also found to be less than significant with mitigation.

Does the EIS address whether the project has impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (14 CCR § 15065(a)(3).)

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Yes. If the PM determines the answer is "Yes", an explanation should be provided.

Example: Cumulative impacts are the change in the environment, which results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable projects. When considered together with the past, present, and reasonably foreseeable future development of oil and gas production within the Coalinga gas field and unincorporated Kern County, the incremental impact of the development of a new exploratory production well in this project is potentially significant. There is reasonable possibility that the cumulative impact to land, air, water, and biological resources resulting from successive projects of the same type in area may be significant.

Does the EIS address whether the project has environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (14 CCR § 15065(a)(4).)

No. If the PM determines the answer to the question is "No," the PM will check the "No" box.

Yes. If the PM determines the answer is "Yes," an explanation should be provided.

Example: While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, transportation/traffic, utilities, and climate change, which are addressed in Section 4.2 (Air Quality), Section 4.5 (Geology/Soils and Mineral Resources), Section 4.6 (Greenhouse Gas Emissions), Section 4.7 (Safety/Risk of Upset), Section 4.8 (Hydrology/Water Quality), Section 4.10 (Noise), Section 4.12 (Public Services and Recreation), Section 4.13 (Transportation/Traffic), and Section 4.14 (Utilities/Service Systems).

Additional Impacts to the Environment

This section is an overall summary of any impacts that were identified in the NEPA/CEQA comparison checklist and/or Mandatory Findings of Significance.

Based on a comparison of the operator's project description, along with the submitted NEPA documents, are there additional environmental impacts disclosed in the NEPA/CEQA comparison outlined above?

No additional impacts were identified in the NEPA/CEQA comparison outlined above. If the PM determined that no impacts were checked as "yes" in the CEQA/NEPA comparison checklist and the PM checked "no" for the 3 questions in the Mandatory Findings of Significance or is not applicable to the project, then the PM will check the box next to "No additional impacts identified".

Yes. Potential impacts were identified in the NEPA/CEQA Comparison Guidelines. If the PM determined that one or more impacts were checked as "yes" in the CEQA/NEPA comparison checklist, then the checkmark next to "yes" should be marked for this section and an explanation should be provided as to what impacts were identified.

Example: The proposed project would not create any impacts with respect to: Agriculture and Forestry Resources, Cultural Resources, Energy Resources, Land Use and Planning, Mineral Resources, Recreation, Tribal Resources and Wildfire. The project may create impacts to other resource areas and mitigation measures have been identified for Air Quality, Geology and Soils,

Biological Resources, and Noise. To determine the level of impact to these resources, the PM recommends additional environmental review.

Appendix 1.

Information Needed to Draft a Preliminary Review and Where to Find It
Updated, February 8, 2022

When conducting a Preliminary Review (PR), the CEQA Project Manager (PM) shall locate and gather information from various sources. Table 1 lists the type of information needed for a PR and where to find it. The list is not exhaustive. If additional information is required to make a determination in the PR, the PM may contact the operator, CalGEM district engineer assigned to the project, or other entities for additional information.

All information submitted by an operator must be verified as true to the extent possible.

Table 1. New Drill(s) PR

Information Needed	Potential Source(s)
Project name	Project folder
Oil Field name	Project description, WellSTAR
Operator name	Project description, WellSTAR
City or County	Project description, WellSTAR
Local Agency communication	WellSTAR or project folder
Surface ownership (private, federal, both)	WellSTAR, Well Management, project description
Mineral ownership (private, federal, both)	WellSTAR, project description
Proposed activity (New drill NOI, rework, P&A)	Project description, WellSTAR
List of Wells: Form ID, well names, Lat/Long (if more than one well is in the project)	Project description, operator submitted with application
Map of proposed well locations	WellSTAR, project folder, operator submitted with application
Nearby oil fields	Well Finder, Well Management
Environmental Setting information, including nearby sensitive receptors (residences, schools, water bodies) unique site characteristics	Project description, Google Earth, Topo maps, Well Finder, Well Management
Geographical information (Topography, surrounding land use, nearby towns/cities)	Google earth, Topo maps, Well Finder, Well Management
Field history (Year oil and gas field discovered)	California Oil & Gas Fields, Volumes I, II, III, Complete Fields List
Biological data	CDFW information sheets, CNDDDB, Operator-provided Bio-PAS, NEPA 2017 Oil and Gas Programmatic Biological Opinion
Underground Injection Control – Additional Documents	

UIC existing project description (current injection wells, type of injection wells, areal extent, field or fields, private, federal)	Project description, WellSTAR application and/or UIC file
Proposed PAL (UIC PxP, UIC Placeholder, UIC Disposal, waterflood, steamflood)	Project description, WellSTAR, Universal Tracker, internal communications
Proposed surface activity (wells, modifications, piping, roads, etc.)	Project description
Proposed injection well(s) (API, well name, well type, previous well type, lat/long)	Project description, WellSTAR application and/or UIC file
UIC PAL history if any	Project folder
UIC first well install date	Historical PAL
AOR map	Project description, Well Management
Federal Surface and, or Mineral Rights – Additional Documents	
NEPA Categorical Exclusion	Project folder
NEPA Environmental Assessment (federal nexus)	Project folder
NEPA Finding of No Significant Impact (federal nexus)	Project folder
NEPA Mitigated Finding of No Significant Impact	Project folder
NEPA Environmental Impact Statement	Project folder
NEPA Decision Record/Record of Decision (federal nexus)	Project folder
State Plug and Abandonment – Additional Documents	
Contract and/or Invitation to Bid	Project folder
Rulemaking – Additional Documents	
Text of proposed regulation	Project folder
Initial Statement of Reasons	Project folder