



## **NOTICE OF INTENT TO USE A FONSI IN LIEU OF A NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the California Department of Conservation's Geologic Energy Management Division (CalGEM), as the lead state agency under the California Environmental Quality Act (CEQA), intends to use the Finding of No Significant Impact (FONSI) prepared pursuant to the National Environmental Policy Act (NEPA) by the U.S. Department of the Interior/Bureau of Land Management (BLM) for the Berry Corporation, LLC Midway Sunset Oilfield- Pike Lease (CalGEM PFID421437) project. In accordance with California Code of Regulations, title 14, section 15072 of the CEQA Guidelines, this Notice is to inform responsible agencies and other interested parties of the availability of the approved FONSI and solicit comments and concerns regarding the environmental issues associated with the proposed project. (14 CCR § 15105.)

BLM prepared an Environmental Assessment/Finding of No Significant Impact (EA)/FONSI (DOI-BLM-CA-C060-2024-0054-EA), which identifies and evaluates the potential for significant environmental impacts from the proposed project. BLM completed its review of the FONSI and signed a Record of Decision on May 1, 2025, approving the proposed project. BLM found that the project will not have a significant effect on the environment.

In accordance with CEQA (PRC § 21000, et seq.), the CEQA Guidelines (14 CCR § 15000, et seq.), and NEPA, CalGEM is the CEQA lead agency for the proposed project, while BLM is the NEPA lead agency. CalGEM reviewed the approved EA/FONSI and found that it meets a majority of the requirements of CEQA, except CEQA circulation and Tribal consultation requirements. CalGEM took actions to address identified issues, and therefore, deemed all CEQA requirements met, when analyzing the EA/FONSI in conjunction with the additional actions taken by CalGEM. The CEQA Guidelines direct state agencies to use a FONSI prepared pursuant to NEPA rather than preparing a new CEQA document if the FONSI has been or will be prepared before a Negative Declaration (ND) or Environmental Impact Report would otherwise be completed for the project and the FONSI complies with the Guidelines. (14 CCR § 15221.) Therefore, CalGEM intends to use the FONSI rather than preparing a ND for this project.

**PROJECT DESCRIPTION:** Berry Petroleum Company, LLC proposes to drill six oil and gas wells within the Midway-Sunset Oil Field- Pike Lease in Kern County. The proposed project involves pre-construction clearing and grading, expansion of three existing well pads, connect to existing electrical lines, and installation of above ground piping to connect to existing infrastructure. The project would take place on BLM administered mineral estate and surface land ownership, with ground disturbance of approximately 0.4 acres.

**LOCATION:** The proposed project is in Kern County, California, within the Midway Sunset Oilfield Pike Lease approximately 5 miles southeast of the city of Taft (S28, T32S, R24E MDBM). The proposed project is not located on a site included on a list of hazardous material sites compiled pursuant to Government Code section 65962.5 [14 CCR § 15072(g)(5)].



## **ENVIRONMENTAL EFFECTS:**

CalGEM reviewed BLM's analysis of environmental impacts. It was determined that impacts to all resource areas were adequately addressed in the EA/FONSI and that any impacts would be less than significant. Specific review areas of note that received additional review included air quality, greenhouse gas emissions, hydrology and water quality, and tribal-cultural resources. CalGEM determined that impacts to these review areas were adequately addressed, as discussed below.

### **Air Quality, Greenhouse Gas Emissions, and Hydrology and Water Quality**

CalGEM reviewed the analysis of air quality, greenhouse gas emissions, hydrology and water quality impacts and found that the EA/FONSI adequately evaluated these impacts and that any impacts would be less than significant.

**Air Quality:** CalGEM reviewed the air quality analysis provided in the EA and found that the document adequately addressed the following issues: implementation of the applicable air quality plan, cumulatively considerable net increase, exposure of sensitive receptors to substantial pollutant concentrations, and odors/other emissions adversely affecting a substantial number of people. The EA determined that the implementation of existing and proposed regulatory requirements would offset the increase in potential emissions related to the proposed project.

**Greenhouse Gas Emissions (GHG):** CalGEM reviewed the GHG emissions analysis provided in the EA and found that the document adequately addressed the following issues: impact of GHGs on the environment and compliance with applicable plans, policies, and regulations. Compliance with local requirements would reduce the impact of GHGs.

**Hydrology and Water Quality:** CalGEM reviewed the hydrology and water quality analysis provided in the EA and found that the document adequately addressed the following issues: compliance with water quality standards, impact to groundwater supplies, impact to existing drainage pattern, risk of release of pollutants due to project inundation, and compliance with a water quality control plan and/or sustainable groundwater management plan. Compliance with local requirements and the design features of the project would reduce the impact to water quality.

### **Tribal-Cultural**

CalGEM's analysis found that the EA/FONSI did not fully address the requirements of Tribal consultation. CalGEM took actions to address and identify issues to meet CEQA requirements. CalGEM found that the document in conjunction with CalGEM's actions complies with the provisions of the CEQA Guidelines. (14 CCR § 15221.)

**Tribal Consultation:** CalGEM noticed Tribes about the EA/FONSI in order to address CEQA and AB 52 Tribal Consultation requirements. Tribes will be kept informed if any tribal related items are discovered during project implementation, as described in



the operator's project description design features to comply with all federal, and applicable tribal, state, and local laws during project implementation.

**CEQA DOCUMENT CIRCULATION:** CalGEM is circulating the EA/FONSI in order to address deficiencies in BLM's circulation process. NEPA documents must have been noticed at the same level that the equivalent CEQA document would be noticed for an agency to use a NEPA document in lieu of CEQA (14 CCR section 15225).

**CALIFORNIA'S SENATE BILL 1137 (SB1137):** CalGEM has reviewed the operator's statement and all other relevant information and whether each feature identified is a sensitive receptor. CalGEM verified that the subject location of the NOI's is not within a Health Protection Zone (HPZ).

**CALIFORNIA'S SENATE BILL 237 (SB237):** CalGEM reviewed the operator's statement and all other relevant information and whether the project would be eligible for Kern County's oil and gas streamline permitting process. CalGEM verified the project location and determined that SB237 is not applicable. CalGEM's analysis found that the project is within BLM's surface and mineral ownership, which falls outside the scope of Kern County's Second Supplemental Recirculated Environmental Impact Report (SSREIR).

**PUBLIC REVIEW PERIOD:** The EA/FONSI is being circulated for public review and comment for a period of 30 days, beginning March 9, 2026, and ending April 8, 2026, pursuant to California Code of Regulations, title 14, section 15105. No public meetings are planned for the proposed project. Written comments should be submitted and received by April 8, 2026. Written comments should be sent to: California Geologic Energy Management Division (CalGEM), CEQA Program, 715 P Street, MS 18-03, Sacramento, CA 95814; or email comments to [CEQA@conservation.ca.gov](mailto:CEQA@conservation.ca.gov).

**AVAILABILITY OF ENVIRONMENTAL DOCUMENTATION:** The EA/FONSI is now available for public review at the following location during normal business hours: Kern County 1115 Truxtun Ave # 5th, Bakersfield, CA 93301 and at CalGEM, 715 P Street, MS 1803, Sacramento, CA 95814. Per the CEQA Guidelines, CEQA Notices and Documents are submitted to the State Clearinghouse and are available for inspection on CEQAnet at the following link: <https://ceqanet.opr.ca.gov/>.

An electronic copy is also posted on the CalGEM website at:  
<https://www.conservation.ca.gov/calgem/CEQA/Pages/CEQANotices.aspx>.

For any questions or for distribution of a hard copy of the EA/FONSI, please contact the CEQA Program at [CEQA@conservation.ca.gov](mailto:CEQA@conservation.ca.gov), or (916) 445-9686. using Attn: [421437\_Group\_Berry\_OG].



*Eva Arrieta*

Eva Arrieta  
Project Manager  
CalGEM CEQA Program  
Department of Conservation