



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## DIVISION OF OIL, GAS, & GEOTHERMAL RESOURCES

801 K STREET • MS 20-20 • SACRAMENTO, CALIFORNIA 95814

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## Notice of Preparation (of Environmental Impact Report required by Public Resources Code section 3161, subd. (b)(3) and (4))

**DATE:** November 15, 2013

**TO:** All Interested Parties

**FROM:** California Department of Conservation  
Division of Oil, Gas and Geothermal  
Resources  
801 K Street, MS 18-00  
Sacramento, CA 95814-3530

**Subject:** The California Department of Conservation, through its Division of Oil, Gas, and Geothermal Resources (DOGGR), pursuant to newly enacted legislation (SB 4 (Pavley) / Public Resources Code section 3161, subdivisions (b)(3) and (4)), will prepare an Environmental Impact Report (EIR) to evaluate the impacts of existing and potential future oil and gas well stimulation treatments occurring within California (the Proposed Project). DOGGR, acting as the lead agency, will prepare a Draft and Final EIR consistent with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Division 13, commencing with Section 21000) and the State CEQA Guidelines (California Code of Regulations Chapter 3, commencing with Section 15000). Through this Notice, DOGGR solicits public and regulatory agency input as to the scope and content of the EIR.

Notwithstanding the time limits mandated by State law (see State CEQA Guidelines Section 15082, subdivision (b)), comments on this Notice of Preparation (NOP) may be submitted and must be received in writing on or before **January 16, 2014 at 5pm** (60 days after the date of the posting of this NOP with the State Clearinghouse within the Office of Planning and Research).

Written comments may be sent by regular U.S. Mail or other carrier to:

**Ms. Adele Lagomarsino**  
California Department of Conservation  
Division of Oil, Gas and Geothermal Resource  
801 K Street, MS 18-00  
Sacramento, CA 95814-353

Written comments submitted via e-mail communication are encouraged; however, please remember to include your name and return address in the e-mail message. E-mail messages and attachments should be sent to:

**[SB4EIR@conservation.ca.gov](mailto:SB4EIR@conservation.ca.gov)**

In addition to the receipt of written comments, DOGGR will conduct scoping meetings to solicit input from the public, federal, State, and local agencies, stakeholders, interest groups, and any other interested parties. Comments can be submitted verbally at one of the scoping meetings to be held on the dates, times, and locations indicated (and amended as necessary) on **page 4** of this NOP.

## Summary of the Proposed Project

The California laws for the Conservation of Petroleum and Gas (Public Resources Code Division 3, Chapter 1, commencing with Section 3000, herein referenced as “Division 3, Chapter 1”) and the California Code of Regulations (Title 14 (Natural Resources), Division 2 (Department of Conservation), herein referenced as “Title 14, Division 2”), mandate DOGGR to supervise the drilling, operation, maintenance and abandonment of oil, gas and geothermal wells within the State.

On September 20, 2013, Governor Edmund G. Brown Jr. signed into law Senate Bill Number 4 (SB 4). SB 4 amends sections 3213, 3215, 3236.5 and 3401 of, and adds Article 3 (commencing with Section 3150) to, Division 3, Chapter 1 of the Public Resources Code. SB 4 additionally appends section 10783 to the California Groundwater Monitoring Act of the Water Code. SB 4’s new Public Resources Code section 3161, subdivisions (b)(3) and (4), requires DOGGR to prepare the EIR noticed by this NOP. The full text of SB 4 can be viewed at:

[HTTP://LEGINFO.CA.GOV/PUB/13-14/BILL/SEN/SB\\_0001-0050/SB\\_4 BILL 20130920 CHAPTERED.PDF](http://leginfo.ca.gov/pub/13-14/bill/sen/sb_0001-0050/sb_4_bill_20130920_chaptered.pdf)

In response to other requirements of SB 4, DOGGR has drafted proposed regulations to implement the amendments and additions to Division 3, Chapter 1. The draft regulations were publicly released on November 15, 2013 and would be added to Title 14, Division 2, Chapter 4 (Development, Regulation, and Conservation of Oil and Gas Resources), Subchapter 2 (Environmental Protection). The proposed regulations provide the definition of “well stimulation treatment.” The proposed regulations also add Article 4 (Hydraulic Fracturing) to Subchapter 2, which specifies both definition of hydraulic fracturing, and the actions that must be complied with prior to, during, and after an oil or gas well is stimulated or hydraulically fractured.

SB 4’s newly enacted Public Resources Code section 3157 of Division 3, Chapter 1, as amended, defines oil and gas well stimulation as: “any treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatments include, but are not limited to, hydraulic fracturing treatments and acid well stimulation treatments. Well stimulation treatments do not include steam flooding, water flooding, or cyclic steaming. Additionally, such treatments do not include routine well cleanout work, routine well maintenance, routine removal of formation damage due to drilling, bottom hole pressure surveys, or routine activities that do not affect the integrity of the well or the formation.”

Section 3158 of Division 3, Chapter 1, as amended, defines acid well stimulation as a “treatment that uses, in whole or in part, the application of one or more acids to the well or underground geologic formation. The acid well stimulation treatment may be at any applied pressure and may be used in combination with hydraulic fracturing treatments or other well stimulation treatments. Acid well stimulation treatments include acid matrix stimulation treatments and acid fracturing treatments. Acid matrix stimulation treatments are acid treatments conducted at pressures lower than the applied pressure necessary to fracture the underground geologic formation.”

Pursuant to Section 3161(b)(3), DOGGR must prepare an EIR to provide the public with “detailed information” regarding any potential environmental effects associated with oil and gas well stimulation treatments within the State. EIRs are allowable under CEQA for a series of actions or activities that can be characterized as one large project and are related either:

- geographically;
- as logical parts of a chain of activities;
- in connection with rules, regulations, plans or other general criteria governing a continuing ; and/or,
- as individual activities carried out under common authority (statutory or regulatory) and having similar environmental effects which can be mitigated in similar ways.

## Objectives of the Proposed Project

The objectives of the Proposed Project are to:

- ensure DOGGR’s compliance with a requirement of SB 4;
- identify, evaluate and disclose the potential environmental impacts of well stimulation treatments of both conventional and non-conventional oil and gas resources within the State;
- further the Legislature’s efforts to ensure that well stimulation practices are conducted in a manner that assures environmental protection, public safety, data collection and reporting, interagency coordination, regulatory oversight and monitoring, and public disclosure; and,
- allow for the safe recovery and production of the State’s oil and gas resources.

## Proposed Scope of the EIR

The EIR will address impacts resulting from existing well stimulation activities associated with conventional oil and gas reservoirs, as well as potential future well stimulation activities associated with non-conventional oil and gas resources.

The EIR will present an analysis of the potential environmental impacts of the Proposed Project, including direct, indirect and cumulative effects, to the extent that those effects are capable of being feasibly and accurately analyzed on a statewide level. The EIR will identify alternatives to the Proposed Project and provide a comparative analysis of their potential impacts. The EIR will identify mitigation measures to reduce potentially adverse and significant impacts to the maximum extent feasible.

The State is 163,707 square miles in size and comprised of 58 counties. Due its geographic extent, and the diversity of environmental and anthropogenic attributes associated with it, the EIR will evaluate the potential impacts of the Proposed Project according to DOGGR’s six administrative Districts. Figure 1 (attached hereto) provides a map of the EIR’s contemplated six Study Regions.

The EIR will address all of the environmental issue areas required by CEQA. These issue areas will include, but may not be limited to:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise and Vibration
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

## Scoping Process and Scoping Meetings

The scoping process under CEQA will assist DOGGR in determining the scope, focus and content of the EIR. Scoping helps to identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in depth. Scoping is also an effective way to bring together and address the concerns of the public, affected agencies, stakeholders, and other interested parties.

Scoping, however, is not conducted to resolve differences concerning the merits or wisdom of the Proposed Project or to anticipate the outcome of the decision making-process. Rather, the purpose of scoping is to help ensure that a comprehensive EIR is prepared. Members of the public, affected federal, State, and local agencies, stakeholders, interest groups, and any other interested parties may participate in the scoping process. Comments can be given verbally by attending the scheduled scoping meetings outlined below.

### Location

### Date and Time

Oakland, CA  
Location: TBA\*

Dec. 10, 2013; 4:00 to 8:00 pm

Long Beach, CA  
Location: TBA\*

Jan. 8, 2014; 4:00 to 8:00 pm

Bakersfield, CA  
Kern County Library-  
Beale Memorial Auditorium  
701 Truxtun Ave.  
Bakersfield, CA 93301

Dec. 12, 2013; 4:00 to 8:00 pm

Ventura, CA  
Location: TBA\*

Jan. 9, 2014; 4:00 to 8:00 pm

Sacramento, CA  
Tsakopoulos Library Galleria-Main Floor  
828 I St.  
Sacramento, CA 95814

Dec. 11, 2013; 4:00 to 8:00 pm

Attendees requiring language interpretation services or other special services at the scoping meetings are requested to call (916) 322-1348 by no later than **five (5) calendar days prior to any scoping meeting they plan to attend**. All meeting locations will be wheelchair accessible.

\*[Confirmation of the final location of any scoping meeting, and any adjustment to the date and time of any scoping meeting, will be noticed in an amended Notice of Preparation.]

## Sources of Additional Information

Further information on the Proposed Project, and the Division of Oil, Gas and Geothermal Resources in general, is available at:

<http://www.conservation.ca.gov/dog/Pages/Index.aspx>

In addition, all future Project-related documents will be made available for review at the following locations:

### **DOGGR District 1**

5816 Corporate Ave., Suite 200  
Cypress, CA 90630-4731

### **DOGGR District 2**

1000 S. Hill Rd, Suite 116  
Ventura, CA 93003-4458

### **DOGGR District 3**

195 S. Broadway, Suite 101  
Orcutt, CA 93455-4655

### **DOGGR District 4**

4800 Stockdale Hwy., Suite 417  
Bakersfield, CA 93309-0279

### **DOGGR District 5**

466 N. Fifth Street  
Coalinga, CA 93210-1793

### **DOGGR District 6**

801 K Street, MS 18-00  
Sacramento, CA 95814-3530

## The Environmental Review Process

The Proposed Project includes actions permitted or overseen by DOGGR, and which may require other various authorizations and permits to allow well stimulation treatments. In order to consider issuance of these authorizations and permits, and based on the Proposed Project's potential environmental impacts, DOGGR will prepare an EIR pursuant to CEQA requirements.

The analysis of the Proposed Project and its alternatives will result in publication of a Draft EIR and a Final EIR. A comment period of a minimum of 30 days but no longer than 60 days will be allocated for review of the Draft EIR, consistent with State CEQA Guidelines Section 15105. A notice of availability of the Draft EIR will be sent to the State Clearinghouse by DOGGR. Furthermore, public notice of the availability of the Draft EIR will be provided consistent with State CEQA Guidelines Section 15087. DOGGR will consider all comments on the Draft EIR and revise the document, as necessary, before issuing a Final EIR. The Final EIR will include responses to the comments received on the Draft EIR. The Final EIR will then be filed and copies will be made available to interested parties, consistent with State CEQA Guidelines Section 15095.

## Agency Comments

This NOP has been sent to State responsible and trustee agencies, interested federal agencies, stakeholders, and the State Clearinghouse. DOGGR requests and is required to seek the views of agencies regarding the scope and content of the environmental information to be included in the EIR, which reflects any agency's statutory responsibilities in connection with the Proposed Project. Responses should identify the issues to be considered in the Draft EIR, including significant environmental issues, alternatives, feasible mitigation measures, and whether the responding agency will be a responsible State or cooperating federal agency or a State trustee agency. Despite to the normal time limits mandated by State law for commenting on a NOP, agency comments must be received no later than January 16, 2014.

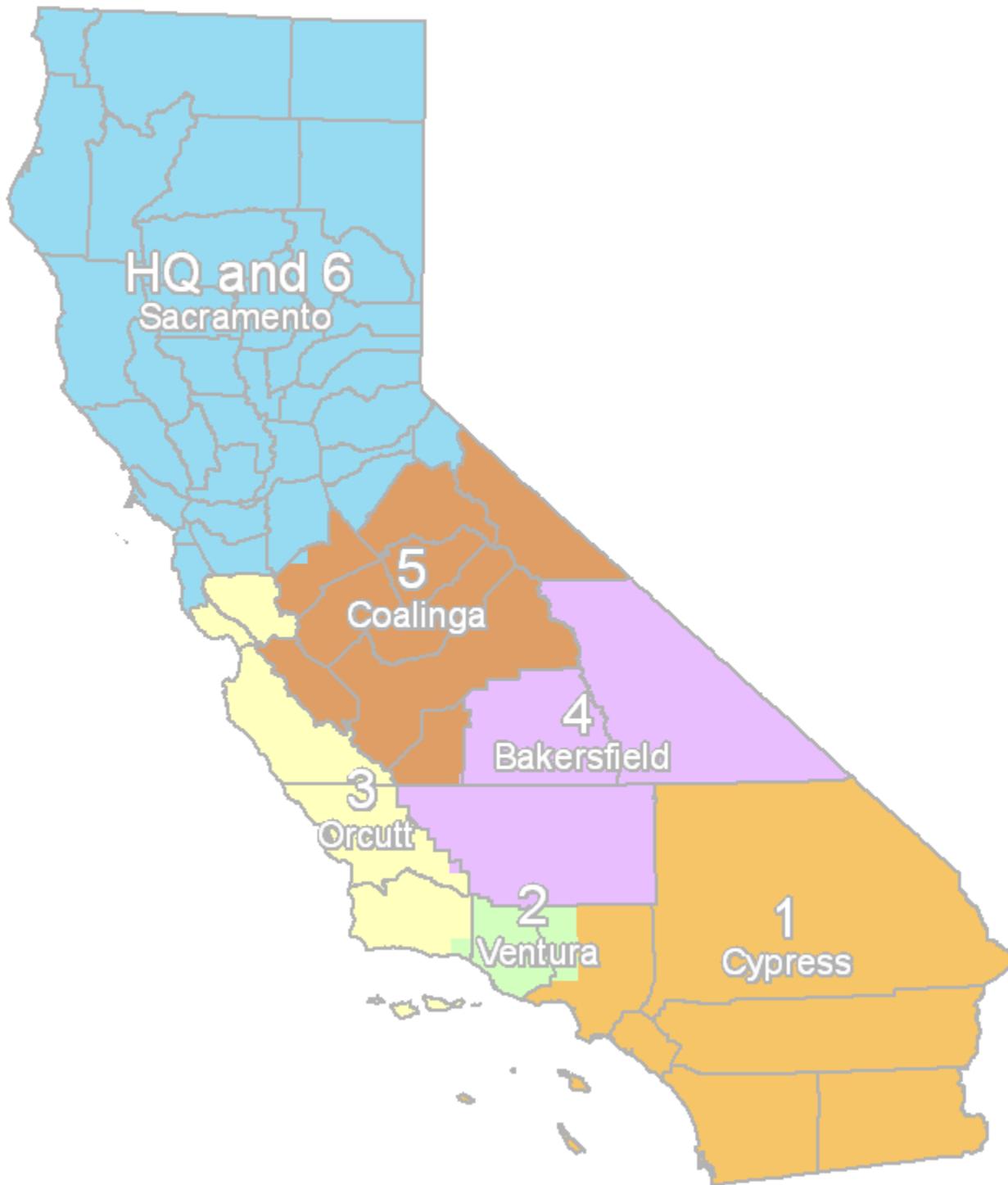
## **Public Comments**

DOGGR requests the views of stakeholders and interested members of the public regarding the scope and content of the environmental information to be included in the EIR. Comments should identify the issues to be considered in the Draft EIR, including significant environmental issues, alternatives, and feasible mitigation measures. Despite to the normal time limits mandated by State law for commenting on a NOP, public comments must be received no later than January 16, 2014.

## **Questions Regarding the Submission of Comments**

In the event any responsible or trustee agency, or any interested federal agency, or any stakeholder(s), has any questions regarding the process for the submission of comments on this NOP, please call (916)322-1348 to ask questions. Verbal comments regarding this NOP, the scope of the EIR, or the Proposed Project, will not be received via this telephone number.

Figure 1  
**Division of Oil, Gas and  
Geothermal Resources  
Districts**



## **LIST OF RECIPIENTS OF NOTICE OF PREPARATION**

### *Via U.S. Regular Mail:*

**Department of Water Resources  
P.O. Box 942836  
Sacramento, CA 94236**

**California Dept. Fish Wildlife  
1416 9th Street, 12th Floor  
Sacramento, CA 95814**

**Exposition Park  
700 Exposition Park Drive  
Los Angeles, CA 90037**

**California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812**

**Dept. of Toxic Substances Control  
P.O. Box 806  
Sacramento, CA 95812-0806**

**Office of Env. Health Hazard Assessment  
Post Office Box 4010  
Sacramento, CA 95812-4010**

**State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100**

**Bureau of Land Management  
California State Office  
2800 Cottage Way, Suite W-1623  
Sacramento, CA 95825**

**Department of Resources Recycling and Recovery  
P.O. Box 4025  
Sacramento, CA 95812-4025**

**All 58 of California's counties**

### *Via E-mail:*

**[Dept. of Conservation compiled ListServe identifying interested parties receiving this Notice is available upon request.]**