

State of California  
Natural Resources Agency / Department of Conservation  
GEOLOGIC ENERGY MANAGEMENT DIVISION

**California Environmental Quality Act** Governor's Office of Planning & Research  
**Notice of Determination** **Aug 17 2020**

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

**From:** Department of Conservation **STATE CLEARINGHOUSE**  
Geologic Energy Management Division  
801 K Street, MS 18-05  
Sacramento, CA 95814  
**Contact:** Charles O'Brien, (661) 326-6033

**Lead Agency:** Kern County Planning & Community Development Department  
2700 M Street, Suite 100 Bakersfield, CA 93301-2370  
(661) 862-8600

**State Clearinghouse #:** SCH# 2013081079

**Lead Agency Project Title:** Revisions to the Kern County Zoning Ordinance – 2015 (C), Focus on Oil and Gas Local Permitting

**Project Activity Title:** OG, Berry, 3 Wells, 08/13/2020

**Permit Applicant:** Berry Petroleum Co, LLC

**Project Location:** Midway-Sunset

County: Kern Section: 02  
Township: 31S Range/Baseline: 22E/MD /MD B&M  
Latitude/Longitude: 35.253707/-119.586852

**Project Description:**

The originally approved project consists of an amendment to Title 19 Kern County Zoning Ordinance (July 2012), with focus on Chapter 19.98 (Oil and Gas Production), to include new site development standards for all oil and gas exploration, extraction, operations, and production activities in unincorporated Kern County. The Geologic Energy Management Division (CalGEM), as the CEQA responsible agency, will be issuing a permit for the proposed project activity, which consists of the following:

The Geologic Energy Management Division (CalGEM) has approved permits for Berry Petroleum Co, LLC to drill the oil and gas wells listed below, in the Midway-Sunset oilfield of Kern County.

API #	Well Name
403068858	A & E VP-14
403068857	Lucky Boy 027
403068900	Luckyboy 028

Details on well locations are online at: <https://www.conservation.ca.gov/calgem/Pages/Wellfinder.aspx>

This Notice of Determination (NOD) is to advise that CalGEM, as the **Responsible Agency** under CEQA, has approved the above project activity on 8/17/2020

Pursuant to the provisions of CEQA, an Environmental Impact Report (EIR) was prepared and certified by the Lead Agency, Kern County Planning and Community Development Department, for the project “Revisions to the Kern County Zoning Ordinance – 2015 (C), Focus on Oil and Gas Local Permitting” (SCH# 2013081079). The EIR for the project was approved on November 9, 2015 and became effective on December 9, 2015. During the review and approval process for this project activity, CalGEM considered the environmental impacts of the project, as shown in the EIR prepared by the Lead Agency, and accepts the following determinations made by the Lead Agency:

- 1. **Environmental Impacts** from the project will
  - Have a significant effect on the environment
  - Not have a significant effect on the environment
- 2. **Environmental Document** prepared for this project, pursuant to the provisions of CEQA:
  - Environmental Impact Report (EIR)
  - Mitigated Negative Declaration (MND)
  - Negative Declaration (ND)
- 3. **Mitigation Measures** were
  - Made a condition of approval of the project.
  - Not made a condition of approval of the project.
- 4. **Mitigation Monitoring and Reporting Plan (MMRP)** was
  - Adopted for this project
  - Not adopted for this project
- 5. **Statement of Overriding Considerations** was
  - Adopted for this project
  - Not adopted for this project
- 6. **Findings** were
  - Made for this project, pursuant to the provisions of CEQA (14 CCR 15091)
  - Not made for this project, pursuant to the provisions of CEQA (14 CCR 15091)

A copy of the EIR prepared by Kern County Planning and Community Development Department for the project “Revisions to the Kern County Zoning Ordinance – 2015 (C), Focus on Oil and Gas Local Permitting” (SCH# 2013081079), including the Response To Comments, MMRP, Statement of Overriding Considerations, Findings, and all other related documents, are available for public examination at the Planning and Community Development Department, located at: 2700 "M" Street, Suite 100, Bakersfield, CA 93301; or an electronic copy of these documents may be accessed online at: <http://pcd.kerndsa.com/oil-gas-zoning-amendment>

For any **additional environmental impacts** identified by CalGEM that are beyond those already identified by the Lead Agency, CalGEM has prepared additional documents as part of its Responsible Agency review and approval process for this project activity, as follows:

- No Additional Impacts**
- MMRP**
- Findings**
- Statement of Override**

A copy of these documents may be examined online at the State Clearinghouse: <https://ceqanet.opr.ca.gov/>; and/or at the Division’s website at <http://www.conservation.ca.gov/calgem/CEQA>

**Certified:** DocuSigned by:  
*Charles Orvien*  
EFBAE5C558F54AB... **Date:** 8/17/2020  
Geologic Energy Management Division