

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

California Environmental Quality Act
Notice of Determination

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

From: Department of Conservation
Geologic Energy Management Division
801 K Street, MS 18-05
Sacramento, CA 95814

Contact: Brian Newman-Lindsay

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 – 2020 (A), Focus on Oil and Gas Local Permitting

Project Activity Title: OG Berry 5 Wells 05212021

Permit Applicant: Berry Petroleum Company

Project Location: Midway-Sunset

County: Kern Sections: 31 Township: 32S Range/Baseline:24E/MDBM

Project Description:

The project activity is within the scope of Title 19, Chapter 19.98 of Kern County Zoning Code (Oil and Gas Production), which dictates 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:

CalGEM has approved permits for Berry to drill the wells listed below, in the Midway-Sunset oil fields of Kern County.

API	Well Name	API	Well Name
040306963	Berry & Ewing 327	0403069079	Berry & Ewing 328
0403069077	Formax East 120	0403069078	Surprise 117
0403069082	Berry & Ewing 326		

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 the Geologic Energy Management Division (CalGEM), as the **Responsible Agency** under CEQA, has approved the above project activity on 05/27/2021.

Pursuant to the provisions of CEQA, a Supplemental Recirculated Environmental Impact Report (SREIR) 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 – 2020 (A), Focus on Oil and Gas Local Permitting" (SCH# 2013081079). The SREIR for the project was approved on March 9, 2021 and became effective on April 7, 2021. During the review and approval process for this project activity, CalGEM considered the environmental impacts of the project, as shown in the SREIR 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 SREIR prepared by Kern County Planning and Community Development Department for the project "Revisions to the Kern County Zoning Ordinance – 2020 (A), 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:

<https://kernplanning.com/environmental-doc/oil-and-gas-sreir/>

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: <https://ceqanet.opr.ca.gov/>



Certified: Brian Newman-Lindsay **Date:** June 1, 2021
Geologic Energy Management Division