



NOTICE TO OPERATORS

2021-03

April 7, 2021

CEQA COMPLIANCE FOR OPERATIONS IN KERN COUNTY

The Kern County Board of Supervisors certified the Supplemental Recirculated Environmental Impact Report (2020/2021) for Revisions to the Kern County Zoning Ordinance – 2020 A, focused on Oil and Gas Local Permitting (<https://kernplanning.com/environmental-doc/oil-and-gas-sreir/>) on March 09, 2021 (Kern SREIR 2020/2021). The certification of the Kern SREIR 2020/2021 supersedes portions of the Kern County Zoning Ordinance – 2015 C, focused on Oil and Gas Local Permitting (Kern EIR 2015), and Kern County's Gas and Oil Ordinance No. G-8605, which was invalidated on March 26, 2020, in *King & Gardiner Farms, LLC v. County of Kern* February 25, 2020, as modified March 20, 2020, F077656. CalGEM gives the following guidance to operators as it relates to existing and new notice of intentions (NOIs) and project applications in WellSTAR.

CalGEM will recognize Kern County job cards and extension letters issued on or after April 7, 2021, under the Kern SREIR 2020/2021 and rely on it as a responsible agency according to CEQA. CalGEM understands that the Kern SREIR 2020/2021 is the subject of recently filed litigation. CalGEM will consider and, if appropriate, update this notice should the court issue any order that may affect CalGEM's reliance as a responsible agency on the Kern SREIR 2020/2021.

CalGEM will continue to be lead agency in processing NOIs and project applications that (1) were submitted without Kern County job cards or extension letters and (2) are currently under review or have not been issued in WellSTAR. Operators may request in writing that CalGEM process the project under the Kern SREIR 2020/2021 where it applies.

Older WellSTAR forms (version 1 and 2) will need to be cancelled and new forms submitted. Do not cancel your project application without discussing with the CEQA reviewer, as this may negatively affect your application currently in the WellSTAR system. Newer WellSTAR forms will need to be returned to the operator. Operators should contact the CEQA reviewer (as listed in the Review step in WellSTAR).

If the form is returned in WellSTAR to the operator, the CEQA Information step will need to be updated with the new SREIR information and a new Kern County job card will need to be uploaded to the form.

Instruction on how to resubmit information can be found on the CalGEM WellSTAR Training Materials website at:

https://www.conservation.ca.gov/calgem/for_operators/Pages/wellstar-training-materials.aspx, and the CalGEM CEQA Unit website at:

<https://www.conservation.ca.gov/calgem/CEQA>. Assistance is also available by selecting the Help button at the top of any form in WellSTAR.



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