



**NOTICE TO OPERATORS**  
2022-06

November 16, 2022

**KERN COUNTY FINAL SUPPLEMENTAL RECIRCULATED ENVIRONMENTAL IMPACT REPORT  
SUSPENSION LIFTED  
GUIDANCE FOR CEQA COMPLIANCE FOR PROPOSED OPERATIONS  
IN KERN COUNTY**

On October 22, 2021, the court in *Vaquero Energy Inc. v. County of Kern*, Kern County Superior Court Nos. BCV-15-101645-GP (consolidated with 10053-GP, and 100536-GP), ordered Kern County to suspend operations under the 2021 Kern County Zoning Ordinance No. G-8992 (Kern County Code Chapter 19.98) (Ordinance), and ordered Kern County to cease reviewing and approving oil and gas permits under the Ordinance unless and until the court determines that the Ordinance complies with the California Environmental Quality Act (CEQA) requirements.

On November 2, 2022, the court issued a new order lifting the previously ordered suspension of the operation of the Ordinance. Accordingly, Kern County may resume permitting of oil and gas operations as CEQA lead agency in unincorporated Kern County. With validity of Kern County's Final Supplemental Recirculated Environmental Impact Report (SREIR) restored, the California Geologic Energy Management Division (CalGEM) will now be a responsible agency.

In accordance with Title 14 CCR section 15096, CalGEM, as a responsible agency under CEQA will consider Kern County's SREIR when reviewing any Notice of Intention (NOI) or UIC application (project) for oil and gas activities, or another, and reach its own conclusion on whether and how to approve the project, as defined by California Public Resources Code section 21065. Prior to reaching a decision on the project, CalGEM will consider the environmental effects of the project as shown in the SREIR. As of November 2, 2022, the Kern County SREIR included revised mitigation measures for agriculture and noise, which CalGEM must also consider along with the proposed project. As a responsible agency, CalGEM has the responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to approve.

This Notice is to inform operators of the following. As of November 2, 2022:

1. Operators who submitted a Notice of Intent (NOI) associated with a well within the jurisdiction of Kern County, without a job card issued by Kern County or recognizing CalGEM as the lead agency, and for which a permit or a conditional permit to conduct well operations has not been received, may request to have their NOI returned. If the operator does not request to have the NOI returned by noon Pacific Standard Time on November 30, 2022, CalGEM will begin returning NOIs at that time. Where required by Kern County, resubmitted and new NOIs will require a valid job card from Kern County. Follow the

guidance documents listed under CEQA Guidance for Operators, located on the California Department of Conservation's California Environmental Quality Act webpage: <https://www.conservation.ca.gov/calgem/CEQA>

2. CalGEM will no longer accept requests for conditional permits or issue conditional permits for projects, as described in the November 2, 2021 NTO 2021-06:  
[https://www.conservation.ca.gov/calgem/for\\_operators/Pages/NoticetoOperat or.aspx](https://www.conservation.ca.gov/calgem/for_operators/Pages/NoticetoOperat or.aspx)
3. For conditional permits issued by CalGEM from October 6, 2021 through November 4, 2022, CEQA review may be incomplete. Operators must submit a supplementary NOI in WellSTAR, with a revised project description that indicates a conditional permit was issued and the supplementary permit is being submitted in response to this NTO 2022-06. CalGEM will review the project to evaluate applicability of the revised SREIR, as required by a responsible agency under CEQA.
4. Projects will be processed as first in first out. However, CalGEM will consider reprioritizing projects that are necessary to prevent damage to life, health, property, and natural resources, protect public health and safety, and protect environmental quality.

If you have any questions or concerns regarding compliance with this notice, please contact CalGEM Headquarters at (916) 445-9686 for referral to the CEQA Program or [CEQA@conservation.ca.gov](mailto:CEQA@conservation.ca.gov).



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State Oil and Gas Supervisor