DocuSign Envelope ID: 1C4E5792-0D05-48FF-9D40-1976B34F8979

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: Matt Stikes, #661-326-6064

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 Petroleum Company LLC., 3 Wells, 3/5/2020, Form#110806

Permit Applicant: Berry Petroleum Company LLC.

Project Location: McKittrick

County:	Kern	Section: 21	
Township:	30S	Range/Baseline: 22E	/MD
Latitude/Longitude:	35.30893581/-119.6093543		

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 Company LLC.) to (Drill) the oil and gas wells listed below, in the (McKittrick) oilfield of Kern County.

API#	Well Name:
0403068104	D-20
0403068103	D-21
0403068105	D-23

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

DocuSign Envelope ID: 1C4E5792-0D05-48FF-9D40-1976B34F8979

This Notice of Determination (NOD) is to advise that CalGEM, as the **Responsible Agency** under CEQA, has approved the above project activity on 3/30/2020 .

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: Matt Stipes 2B846C044425475... Geologic Energy Management Division

Date: 4/1/2020

Governor's Office of Planning & Research

APR 06 2020

STATE CLEARINGHOUSE