



NOTICE TO OPERATORS
2020-03

March 30, 2020

DOCUMENTING CEQA COMPLIANCE FOR OPERATIONS IN KERN COUNTY

In *King & Gardiner Farms v. County of Kern* (February 25, 2020, as modified March 20, 2020, F077656, (<https://www.courts.ca.gov/opinions/documents/F077656M.PDF>), the court invalidated Kern County's Gas and Oil Ordinance No. G-8605 effective March 26, 2020. Permits ("job cards") issued by Kern County before **March 26, 2020**, remain in effect after that date, and responsible agencies such as CalGEM may rely on them without conducting an independent environmental assessment under the California Environmental Quality Act (CEQA). (See p. 143, fn. 50.) Job cards issued by Kern County on or after **March 26, 2020**, are invalid.

Following the court's guidance, CalGEM will continue its existing CEQA review process for notices of intent (NOIs) and permit applications for WST submitted with job cards issued by Kern County under the Ordinance before March 26, 2020. Operators who submit an NOI or application with a job card issued by Kern County before March 26, 2020 may answer "Yes" to the question, "Did the Local Agency prepare an environmental document for the project?" and may list Kern County as the lead agency, in the CEQA Information step in WellSTAR.

Operators who submit an NOI or application without a job card issued by Kern County before March 26, 2020, must answer "No" to the CEQA Information step question, "Did the Local Agency prepare an environmental document for the project?" CalGEM will proceed as the lead agency for those NOIs and applications.

CalGEM is working to assign or hire additional CEQA Unit staff to support its increased workload as CalGEM documents compliance with CEQA.

Uduak-Joe Ntuk

State Oil and Gas Supervisor