

Summary:

- At the end of 2015, Kern County ignored its residents and greenlighted the permitting of oil and gas development without further environment review through and beyond 2035. The decision glossed over the significant harms associated with more oil and gas development – harms such as degraded air quality, critical shortages of fresh water and displacement of wildlife.
- The County set up a rubberstamp process that foreclosed future environmental review for the tens of thousands of new oil and gas wells for which industry will seek permits. Unless the County revises its permitting policies, the public can have zero confidence that environmental impacts will be adequately addressed or avoided over at least the next 20 years.
- Currently, a judge is considering a case challenging the Kern County Oil and Gas Ordinance and Environmental Impact Report (EIR) and the County's decision to allow further oil and gas development throughout the County without further environmental review.
- Kern County should go back to the drawing board on its ordinance and EIR.

Background

Kern County amended its oil and gas ordinance and issued an accompanying Environmental Impact Report (EIR); together, these allow permitting of new or expanded drilling operations without further environmental review for the next 20 years or more. This decision greenlights the construction of well pads, roads, and pipelines, and the stimulation of wells using toxic chemicals. The EIR covers more than 70,000 wells (across an area larger than the entire state of Delaware) as one project, which violates the California Environmental Quality Act (CEQA).

Applying for a drilling permit is now comparable to getting a marriage license. Applicants must simply check the correct boxes. Approvals are automatic, without review or public process, and can occur as quickly as within a week.

If applicants need permission from related agencies such as the San Joaquin Valley Air District or the Department of Oil, Gas, and Geothermal Resources, those agencies can avoid additional review by pointing to the County's EIR, essentially bypassing the California Environmental Quality Act.

Currently, a judge is reviewing a case challenging the Kern County ordinance and EIR. Primary concerns include:

- 1) The County violated its fundamental responsibility to inform the community by disregarding requests to involve Spanish-speaking residents in the review process.
- 2) The Environmental Impact Report has many failures. It covers too large of an area, an extended timeframe, and does not adequately address impacts to environment.

Community Inclusion and Translation

During the ordinance review process, the population in Kern County was 51% Latino or Hispanic, and 42% of the population spoke a language other than English at home. Yet none of the workshop materials or CEQA documents were translated into Spanish. Not a single notice for a public hearing was published in Spanish.

Community members submitted written comments and attended public meetings where they requested translation. Those requests were denied or ignored.

The oil industry wrote these rules and the Kern County Board of Supervisors adopted them wholesale. Meanwhile, the people most affected by pollution from oil and gas operations were shut out of the process.

Water Supply

This project would worsen Kern County's severe water shortage. The existing businesses and population are struggling to obtain water, which the EIR notes but does not meaningfully address.

Air Pollution

Due to the massive size and long duration of this project, it has the potential to emit as much as 39,000 tons (78 million pounds) of air pollution per year and approximately 777,670 tons (1.56 billion pounds) in total through 2035.

At such high levels, the project will produce a staggering amount of air pollution within Kern County by 2035, including 40% of all PM_{2.5} emissions county-wide; 70% of all nitrogen oxide (NO_x) emissions; and 97% of all sulfur dioxide (SO₂) emissions.

Even with mitigation, the project would cause a significant, cumulative increase in air pollution—including an increase in air pollutants for which the County currently violates health standards.

Climate Change

In 2012, the oil and gas industry in the Project Area generated greenhouse gas emissions equivalent to 3.5 million passenger cars driving on California's roadways. The EIR anticipates the Project will nearly double direct annual emissions of greenhouse gases from the oil and gas industry from 2012 to 2035.

These rapidly rising emissions are set to occur when the state's emissions must decrease by approximately 5% per year to meet emissions goals that climate scientists agree are necessary to address the negative consequences of climate change.

Wildlife

Roughly 166 sensitive species reside or potentially reside in the Project Area, including many that are endangered, threatened, or fully protected.

The EIR estimates that oil and gas activity will directly disturb roughly 4,856 acres of land every year; over 25 years, that amounts to over 120,000 acres. But even that estimate grossly undercounts the area of habitat that would be harmed by the construction, roads, pipelines, and pollution that will result from rapid oil and gas expansion.

Health Impacts

Oil extraction threatens human health, particularly for those living near operations or storage and processing facilities.

Health surveys conducted in Lost Hills show evidence of health effects consistent with contaminants that are associated with oil and gas, and which were detected through air sampling, such as nosebleeds, headaches, sinus problems, and skin rashes.