# **Appeals court rejects Kern's oil permitting system**

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**Body**

Feb. 25-- Feb. 25--In a major legal defeat for ***Kern***'s ***oil*** industry, an appeals court on Tuesday struck down the county's landmark zoning ordinance that in 2015 turned local ***oil*** permitting into a ministerial process all but immune from environmental challenges.

California's Fifth District Court of Appeals, ruling on a lawsuit brought by local almond farmers, faulted the county's environmental analysis of the ordinance and said the county failed to provide adequate protection from the rules' impacts.

The ruling sets aside the ordinance and orders it rescinded in 30 days.

Plaintiff Keith Gardiner called the ruling a victory for residents, farmers and working people of ***Kern*** County.

"County officials have a responsibility to protect the health and well-being of the entire community, not just the economic interests of the ***oil*** industry," Gardiner said in a news release.

The ordinance had put into place a system for resolving so-called "split estate" disputes in which farmers that own surface property came into conflict with ***oil*** companies that own the underlying mineral rights. But some farmers -- and at least one ***oil*** producer -- have said the result was inequitable.

The Arizona-based environmental activist group Center for Biological Diversity also welcomed the ruling, calling it a "monumental victory" for advocacy groups and farmers.

"The court ruled that ***Kern*** County violated the law when it fast-tracked more ***oil*** and gas development and hid the immense harm caused by drilling," CBD attorney Hollin Kretzmann wrote in a news release.

***Oil*** trade groups had no immediate comment.

***Kern*** Administrative Officer Ryan Alsop said by email the county was still reviewing the ruling and would have more to say about it Wednesday.

The ordinance revolved around a massive environmental review funded by the state's ***oil*** and gas industry. County officials said at the time they fully expected the ordinance and review to come under legal attack but that eventually it would be upheld and provide a clear path to local ***oil*** and gas permits.

This story will be updated.

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