# **United States : California Court Rules Kern County Oil, Gas Permitting Scheme Illegal**

Mena Report

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**Body**

A California appeals court ruled unanimously today that ***Kern*** County violated the law by using a flawed environmental review for its local ***oil*** and gas ordinance designed to fast-track permitting. This is the second time the court has ruled that the countys rubberstamping of ***oil*** and gas permits violates the states foundational environmental law.

As a result, ***Kern*** County has been directed to set aside its permitting ordinance, and county officials will remain prohibited from issuing local permits for ***oil*** and gas projects. If it tries to move forward a third time, ***Kern*** County will have to adopt a new ordinance and redo its environmental review to comply with the California Environmental Quality Act, or CEQA.

The courts decision today was a hard-won victory, and we are grateful that the court saw the countys actions for what they were dangerous and illegal, said Anabel Marquez, president of Committee for a Better Shafter. The codependence between ***Kern*** and the ***oil*** and gas industry may persist in other ways, but we will continue to be thorns in their sides, fighting for the clean air, water and land that we deserve.

The court previously halted local ***oil*** and gas permitting in 2020. In its prior decision, the court found that the county violated CEQA Californias bedrock environmental protection and community right-to-know law by failing to adequately assess and mitigate the harms of ***oil*** and gas activities to air, water, health and farmland.

Today the court ruled that an almost identical ordinance adopted in 2021, with only modest changes in its environmental review, was also invalid. In particular, the court found the countys study of cancer risks from living near multiple wells to be legally deficient. The court disapproved of the countys analysis, which assessed the impacts of drilling 1,000 feet or further away from a sensitive location, even though the county intended to allow drilling as close as 210 feet from a home and 300 feet from a school.

The court also faulted the countys failure to adequately evaluate and address the ***oil*** and gas industrys use of water, which is expected to lower groundwater levels in local wells across the county, especially in disadvantaged communities.

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