San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

Notice of Determination

To:	☒ **County Clerk**	☐ **Office of Planning and Research**
County:	Kern	
Address:	1115 Truxton Avenue Bakersfield, CA 93301	P.O. Box 3044 Sacramento, CA 95812-3044
Phone:	(661) 868-3588	(916) 445-0613

From:	**San Joaquin Valley Unified Air Pollution Control District**	**Lead Agency (If different from sender)**
Address:	1990 E. Gettysburg Ave. Fresno, CA 93726-0244	
Contact	Mark Montelongo	
Phone:	(559) 230-6000	

SUBJECT: **Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number: (if submitted to State Clearinghouse): 2012071066

Project Title: Berry Petroleum Company, Project No. S-1111129, S-1111510, S-1111901, S-1111928

Project Location: The project is located within the existing boundaries of Berry Petroleum Companies 21Z Lease and Ethel D Lease sites.

Sec. 21 & 36 **Twn & Dir:** 30S&12N **Ran & Dir** 22E & 24W **OR** **Lat:** **Long:**

Project Description: Berry Petroleum Company (BPC), the applicant, has proposed to install five (5) 85.0 MMBtu/hr gas fired steam generators. Four (4) 85.0 MMBtu/hr steam generators will be located at the existing McKittrick Oilfleild (21Z Lease) and one (1) 85.0 MMBtu/hr steam generator will be located at the existing Midway Sunset Oilfield site (Ethel D Lease). In the future, BPC plans to install an additional four (4) 85.0 MMBtu/hr gas fired steam generators and add 255 thermally enhanced oil recovery (TEOR) wells within the existing Ethel D Lease site. Construction will occur over a 5 ½ year period.

This is to advise that the San Joaquin Valley Unified Air Pollution Control District, acting as a ☒ Lead Agency or ☐ Responsible Agency has approved the above described project and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the District's ☐ Findings, ☐ Final EIR, or ☒ Mitigated Negative Declaration, and record of project approval, is available to the General Public at: San Joaquin Valley APCD, 1990 E. Gettysburg Street, Fresno, CA

Signature (Public Agency): David Warner Title: Director of Permit Services

Date: OCT 08 2012