

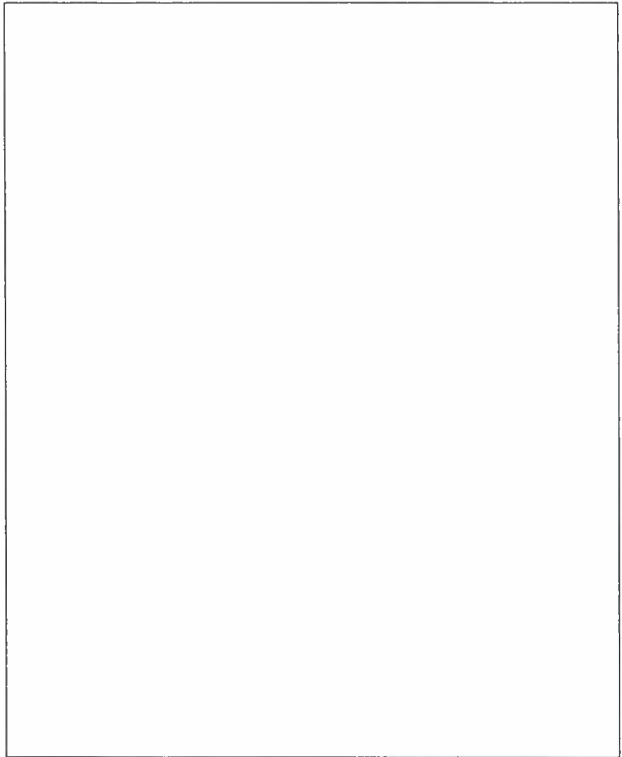
# Notice of Exemption

To:  Office of Land Use and Climate Innovation  
For U.S. Mail Street Address  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-0344 Sacramento, CA 95814  
(916) 445-0613

County Clerk/Recorder  
County of Kern  
1115 Truxton Ave  
Bakersfield, CA 93301  
661-868-3588

From: San Joaquin Valley Unified Air Pollution Control District  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Eric McLaughlin  
(559) 230-6000

Lead Agency (If different from sender):  
Kern County Planning and Natural Resources Department  
2700 "M" Street  
Bakersfield, CA 93301  
Contact: Dennis McNamara  
Phone: (661) 862-8624



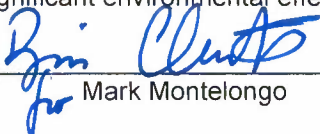
(For County Use Only)

Project Title: Kern Energy, ATC project number S-1251187  
Project Location: The project is located at 7724 E. Panama Lane in Bakersfield, CA, 93307  
Project Description: Kern Energy, the applicant, has proposed a hydrogen recovery operation which includes using the hydrogen in one of seven permit exempt 3 MW fuel cells for onsite power generation or storing the hydrogen for future use.

Name of Public Agency Approving Project: San Joaquin Valley Air Pollution Control District  
Name of Person or Agency Carrying Out Project: Kern Energy  
Applicant Name, Address, & Phone Number: Gabe Castro, 7724 E. Panama Lane, Bakersfield, CA, 93307  
(661) 845-0761

- Exempt Status: (Check one)
- Ministerial: §21080(b)(1); §15268
  - Declared Emergency: §21080(b)(3); 15269(a)
  - Emergency Project: §21080(b)(4); 15269(b)(c)
  - Replacement or Reconstruction: §15302
  - New Construction or Conversion of Small Structures: §15303
  - Categorical Exemption: §15301 (Existing Facilities)
  - Statutory Exemptions:
  - Common Sense Exemption: Section 15061(b)(3)

Reasons Why Project is Exempt: The County of Kern (County) acted as CEQA Lead Agency for the Project. The County issued Site Plan Review approval and filed a Notice of Exemption (NOE) pursuant to CEQA Guidelines §15062 identifying exemptions under Public Resources Code §21080(b)(1) and CEQA Guidelines §15268 (ministerial approvals) and §15301 (Existing Facilities). The San Joaquin Valley Air Pollution Control District (District), has conducted a Preliminary Review pursuant to CEQA Guidelines §15060, and has determined that the Project is a discretionary project as defined under CEQA Guidelines §15357. In addition to the exemptions identified in the County's NOE, the administrative record supports applicability of: (a) CEQA Guidelines §15302, because equipment will be installed within the existing refinery to serve the same operational purpose with no expansion of overall capacity; (b) CEQA Guidelines §15303, because the Project installs discrete specialized mechanical/process equipment within an existing industrial facility without altering the underlying use; and (c) CEQA Guidelines §15061(b)(3), because the Project is entirely within the existing industrial footprint, does not expand the refinery's footprint or introduce a new industrial use, and, based on the record, will not result in significant environmental effects.

Signature (Public Agency)  Title: Director of Policy and Government Affairs  
Date: APR 30 2026 Mark Montelongo