

CHAPTER 9 – RESPONSES TO COMMENTS

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9 CHAPTER 9 – RESPONSES TO COMMENTS

9.1. *Introduction*

This chapter contains summaries of and responses to the substantive comments received from elected officials, agencies, organizations, companies and individuals who responded to the DEIS.

Some 7,830 written responses were received in the form of letters, e-mails, postcards and petitions. Most of these responses contained numerous comments and many had more than one signature. Thousands of e-mail responses were received, including several form letters.

9.2. *Types and Number of Respondents*

The table below identifies the types of respondents and the number of each type.

Respondent Type	Number of Respondents	Form Letter Respondents	Number of Respondents
Federal Elected Officials	2	Form Letter 1	5837
Federal Agencies	2	Form Letter 2	22
State Elected Officials	2	Form Letter 3	5
State Agencies	2	Form Letter 4	5
Local Elected Officials	2	Form Letter 5	19
Local Agencies	3	Form Letter 6	5
Environmental Org's.	24	Form Letter 7	66
Industry	5	Form Letter 8	7
Individuals	588	Form Letter 9	26
		Form Letter 10	93
		Form Letter 11	796
		Form Letter 12	69
		Form Letter 13	250
Total	630	Form Letter Totals	7200

9.3. *Content Analysis Process for DEIS Responses*

The Council on Environmental Quality (CEQ) NEPA regulations, 40 CFR 1503.4(b) requires:

“All substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous), should be attached to the final statement whether or not the comment is thought to merit individual discussion by the agency in the text of the statement.”

All responses were first carefully read to identify the content of the comments and the issues raised. Many comments were similar or in the case of the form letters, the same. This allowed the comments to be categorized by the issues they addressed. A coding scheme was developed to classify the comments by issue category and sub-category. The substantive comments were categorized and entered into a database. In certain cases, narratives were added to capture the content of the comment and the issues raised.

9.4. Issue Categories

Categories used to code the comments include the following:

<i>Alternatives</i>	<i>Noise</i>	<i>Social and Economic</i>
<i>Cultural/Heritage</i>	<i>Oil & Gas Drawdown, Infrastructure and Slant Drilling</i>	<i>Transportation</i>
<i>DEIS Adequacy</i>	<i>Other/General</i>	<i>Vegetation</i>
<i>Geographic Areas</i>	<i>Analysis Process Issues</i>	<i>Water and Air</i>
<i>Health and Safety</i>	<i>Recreation</i>	<i>Wildlife</i>

9.5. Respondents and Types of Comments

Appendix G identifies all the respondents and indicates how their comments were coded. This allows respondents to determine how their comments were categorized and find the corresponding agency response(s) by issue category in Section 9.8, Responses to Comments.

9.6. Government Comments Received

Appendix H contains copies of all comments received from federal, state, and local representatives and agencies.

9.7. Form Letters Received

Over 7,000 comments were received in 13 different form letters.

9.8. Responses to Comments

This section contains responses for each issue category and sub-category. The format includes a description of each issue category, representative comment(s) received, and the agency response.

In responding to comments Forest Service has:

- *Identified a New Preferred Alternative by combining parts of Alternatives 1 and 5a which were addressed in the DEIS;*
- *Referenced, supplemented, improved, or modified the analysis;*
- *Made factual corrections;*
- *Explained why the comments do not warrant further response, such as referencing sections where concern is addressed or recognizing professional differences of opinion.*

9.8.1. Alternatives

9.8.1.1. *Description of Issues*

Respondents submitted 349 comments related to alternatives, counting all copies of each form letter as one comment. The type and number of the comments were as follows:

Nature of Comment	# of respondents
<i>Support alternative 1</i>	<i>301</i>
<i>Support alternative 2</i>	<i>3</i>
<i>Support alternative 3</i>	<i>0</i>
<i>Support alternative 4</i>	<i>0</i>
<i>Support alternative 4A</i>	<i>3</i>
<i>Support alternative 5</i>	<i>10</i>
<i>Support alternative 5A</i>	<i>10</i>
<i>Support leasing (general)</i>	<i>13</i>
<i>DEIS offers only an "All or Nothing" Approach</i>	<i>3</i>
<i>No true No-action Alternative</i>	<i>3</i>
<i>Suggested New Alternative</i>	<i>15</i>

The majority of the comments supported alternative 1, no-action/no new leasing.

9.8.1.2. *Supports Leasing in General*

9.8.1.2.1. Representative comment(s)

Name	Organization
Edward F. Korn	
Comment	
Supports Leasing with requirement that developers and producers clean up and restore the land to a reasonable degree after production is complete.	

9.8.1.2.2. Agency Response

Seven action alternatives that would make available varying amounts of the Forest for oil and gas leasing are presented in the DEIS and FEIS. All alternatives require rehabilitation of disturbed lands once production ceases.
--

9.8.1.3. *DEIS Offers Only An “All or Nothing” Approach*

9.8.1.3.1. Representative comment(s)

Name	Organization
Katy Rexford	Bluewater Network
Comment	
Bluewater Network is also concerned that the DEIS offers only an "all-or-nothing" approach to drilling in the most environmentally sensitive areas of the forest.	
Name	Organization
Supervisor Gail Marshall	County of Santa Barbara Board of Supervisors
Comment	
Essentially, the DEIS presents an "all or-nothing" option with regard to leasing High Oil and Gas Potential Areas (HOGPAs). Alternative 1 addresses no leasing of any such areas while all other alternatives address leasing of all such areas. No alternatives are presented to eliminate one or more HOGPAs, such as the Figueroa Mountain and La Brea areas, due to extenuating environmental circumstances without eliminating all new leasing. Please restructure the alternatives to provide more flexibility.	

Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
None of those alternatives contemplate not leasing one or more such areas to protect their non-energy resources from the impacts of development.	

9.8.1.3.2. Agency Response

<p>Alternatives 5 and 5A presented in the DEIS would not make all of the study area available for leasing. In these two alternatives areas that would otherwise be under a “no surface occupancy” stipulation but are one-half mile or further from a potential slant drilling site would not be available for lease.</p> <p>The alternative scenarios for leasing or not leasing presented in the DEIS can be applied to different HOGPAs. The environmental consequences are presented separately for each HOGPA. This allows examining the consequences of applying various alternative leasing scenarios or not leasing to individual HOGPAs and the non-HOGPA area.</p> <p>Thus, in response to these comments, the Forest Service has developed a new alternative (New Preferred Alternative) that proposes leasing portions of the San Cayetano, Sespe, and South Cuyama HOGPAs only. None of the other HOGPAs or the non-HOGPA area is proposed for leasing in the New Preferred Alternative.</p>

9.8.1.4. *No New Access*

9.8.1.4.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	County of Santa Barbara Board of Supervisors
Comment	
<p>The current explanation inaccurately implies that, if new development without new access could result in unmitigable significant impacts to scenic and recreational resources since it would be directly visible from the transportation system, then new development with new access would avoid such unmitigable significant impacts. A more accurate explanation would recognize that:(1) New development in some areas could occur without new access and not result in unmitigable significant impacts to scenic and recreational resources where the existing access is not used by the public to access scenic and recreational resources; and (2) Providing new access does not remedy the issue. Rather, in some or all cases, new access also results in unmitigable significant impacts to scenic and recreational resources because (a) it also relies, in part, on existing roads (e.g., Figueroa Mountain Area) and (b) it expands the transportation system, bringing to the new oil and gas development, both of which also could result in unmitigable significant impacts to scenic and recreational resources. We request that this section be re-written with more supportable analysis and that the option of eliminating certain HOGPAs from consideration for new leasing be carried forward should new access result in unmitigable significant impacts that outweigh the benefits of developing the area.</p>	

9.8.1.4.2. Agency Response

As requested, the section on the “no new access” in section 2.3.3.4 has been rewritten to provide clarity and the option of not leasing certain HOGPAs has been incorporated in the New Preferred Alternative.

9.8.1.5. *Absence of a True No-Action Alternative*

9.8.1.5.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>Alternative 1 is not a true "no action" alternative. Under Alternative 1 at least 22 new wells will be developed. 16 of these new wells under the so-called "no action, no new leasing" alternative would occur within the South Cuyuma HOGPA in close proximity to active nesting habitat for the endangered California condor. The DEIS claims that these 22 additional wells must be considered as part of the baseline when analyzing the proposal to make the remaining lands on the LPNF available for leasing, however, the DEIS appears to be going a step further than this by laying the groundwork for renewal of those leases once they terminate. "Current leased lands are included in the analysis so that when any existing lease terminates the decision has been made whether or not to offer the land for lease again." In response to comments received on a DEIS, the Forest Service can "modify alternatives" or "develop and evaluate alternatives not previously given serious consideration by the agency." Considering that the existing leases on the LPNF are inconsistent with current Forest Plan standards and guidelines, and will likely be inconsistent with the directives of the revised Forest Plan when it is completed, the Forest Service has an obligation to the public to develop and analyze an alternative which considers disallowing further development on lands that are currently available for leasing, or already leased, but as of yet undeveloped. At the very least, the Forest Service must consider imposing further restrictions and condition on the existing leases.</p> <p>In the interest of full public disclosure and in order to make a fully informed decision in this DEIS, the Forest Service must fully disclose what it can and cannot do to restrict activities under the leases presumed to be an integral part of the “no action, no new leasing” alternative as well as all of the other alternatives. In addition to addressing the Forest Service’s authority to impose further restrictions on these leases, please identify and discuss appropriate conditions including the possibility of timing.</p> <p>If the DEIS is going to be used to streamline the process for lease renewals decisions that will not be subject to the stipulations and conditions developed in this EIS process, the Forest Service must disclose how the NEPA or other review processes for those leases will be abbreviated.</p>	

Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
A true no-action alternative would leave the existing leases completely out of the picture and just address new lands.	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
There is no real "no action" alternative, since the so-called no action option includes renewing existing leases.	
Name	Organization
Jonathan A. Libby	Ventana Wilderness Alliance
Prefer "true" no action alternative which calls for no additional leases on lands already authorized for leasing and reexamination of current operating leases for compliance with environmental laws.	

9.8.1.5.2. Agency Response

The proposed action proposes to amend the existing Forest Plan direction for oil and gas leasing and provide expanded management direction. Given that, the "no action alternative" is the current management direction, as provided in Alternative 1.

There are existing oil and gas leases within the Los Padres National Forest. However, there are currently no lands available for additional leasing. The proposed action, based on the purpose and need as stated in Chapter 1 of the FEIS, is to amend the Forest Plan to lease additional portions of the Forest for oil and gas exploration, development and production. The action alternatives are leasing scenarios that make additional lands available for lease. As a consequence, the no-action alternative is to take no action and not lease additional lands. An alternative that stops current oil and gas activity and buys back the existing leases is outside the purpose and need of this analysis.

This EIS does address whether or not the lands now under existing leases would or would not be available for new leasing after the existing leases terminate. The portions of the Forest currently leased are evaluated in the same way as the portions that are not currently leased. This does not constitute a projection of the "status quo" or "renewing" of existing leases. As an example, a large, 9,536 acre, lease in the western part of the South Cuyama HOGPA has terminated since the release of the DEIS. This terminated lease represents 64% of the existing lease acreage. The New Preferred Alternative would allocate the lands that made up the terminated South Cuyama lease as follows: 7,208 acres to no leasing; 2,088 acres to lease with no surface occupancy stipulated; 215 acres to lease with limited surface use; and 25 acres to lease under BLM standard lease terms. In other words, over 75% of this terminated lease area would not be available for new leasing. And of the 2,328 acres that would be available for new leasing, no surface occupancy would be allowed on roughly 90%. Actual surface occupancy would only be available on 240 acres or less than 3% of the land previously leased.

As long as the existing leases "produce" and are otherwise in good standing, they have a right to continue. If the no action alternative, Alternative 1, were selected, no additional leases would be sold, but the existing leases would still continue under their existing rights until they terminate. That is why existing and additional wells are projected under all alternatives for the currently leased lands. The existing leases are not a part of the

discretionary decision to be made. However, the availability of the lands they occupy, once the existing leases terminate, is. Until they terminate, existing leases will be part of the environmental setting regardless of whichever alternative is selected.

Existing leases predate and in certain cases do not meet the standards and guidelines of the current Forest Plan, nor are they expected to meet the standards and guidelines of the revised Forest Plan. However, not meeting these desired condition is not cause for revocation of an existing lease that predates the existence of those desired conditions in a Forest Plan. Furthermore, should any existing lease terminate, as the South Cuyama lease did, any of the terminated lease lands could not be leased again if they either do not meet or are projected not to meet the Forest Plan standards and guidelines if developed.

It is neither the purpose nor need of this document to examine existing leases for compliance with all environmental laws. That is done in the day-to-day management of the existing leases.

The ability of the Forest Service to apply further constraints on existing leases for areas proposed for development at the Application for Permit to Drill stage is directly related to the specific lease terms and varies from lease to lease. Since existing leases were issued at different times and cover different land area each has it's own set of unique terms and conditions. Generally speaking, the older the lease the more general the terms and more challenging it may be to add constraints at the APD stage. The more general terms are subject to interpretation. New conditions at the APD stage must fall within the authority of the lease terms. The whole purpose of stipulations is to express specific restrictions as lease terms to avoid differing opinions on interpretation of more general terms later at the APD stage.

9.8.1.6. Range of Alternatives

9.8.1.6.1. Representative comment(s)

Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
<p>Alternative 3 makes clear reference to a biological survey requirement for potential habitats of sensitive plant species, and the ability of LPNF to designate LSU and NSO land use based on the surveys. Is CNPS to presume that no such surveys would be required under Alternative 2? Would this be legal and not be open to legal challenge? Again, it is unclear how much of Alternative 2 would be valid and a possible avenue of management by LPNF, or how much of Alternative 2 is a functionally illegal "straw man" by which the public's view of Alternative 3 is enhanced. The differences between Alternatives, as described in Section S.3, are insufficient to provide the public with a full understanding of either their implications or impacts. We are to assume that Alternative 2 violates the Forest Plan (existing or future?), where Alternative 3 supposedly follows the Forest Plan, and Alternative 4 follows the Forest Plan "with further stipulations". As BLM Standard Lease Terms are to be followed in Alternative 2, under which the lessee must "minimize adverse impacts" and "cease all operations that result in the destruction of such (endangered and threatened) species", the subtle difference with Alternative 3's "added lease stipulations" are unclear.</p>	
<p>"No Surface Occupancy" (NSO) criteria are defined that include extremely unstable areas, active landslides, erosive soils, greater than 50% slopes, and being in the Casitas Reservoir watershed. CNPS regards this supposed distinction between Alternatives 2 and 3 to be invalid, as public safety and common sense would also invalidate site usage under Alternative 2 where these conditions exist (apart from the Casitas stipulation). Are we to understand that allowing a lessee to put a well into an active landslide is a possibility under Alternative 2? In the Process Chart (fig. 2-1) the prime differences between Alternatives 2 and 3/4 are in "developing impact mitigation stipulations". This introduces the question of why Alternative 2 would presumably offer the policy of environmental destruction without mitigation, there presumably being no "mitigation stipulations" for Alternative 2. CNPS asks if this is a legal possibility, given Clean Water Act, ESA, CESA and other laws that</p>	

must be followed, and if not, then why is this presented as a valid alternative? This is again brought out where Alternative 3 is said to generate use restrictions (an LSD) after consultation with DSFWS on disturbance in condor habitat. However such a consultation could not be avoided under Alternative 2, which again invalidates the DEIS' distinctions between alternatives.

9.8.1.6.2. Agency Response

Alternative 2 represents the minimum amount of environmental and resource protection of all the action alternatives by implementing only the BLM standard lease terms (SLTs). The standard lease terms generally provide for protection of resources. All laws such as the Clean Water Act and Endangered Species Act are also applicable. Some resources such as scenic and recreation and even Forest Service listed sensitive species do not have specific laws protecting them. While section 6 of the SLTs gives the Forest Service and BLM authority to protect the environment and other resources, the ability to implement necessary mitigation can be hampered by the generality of the terms. Such key words as “reasonable measures,” “minimize” and “to the extent consistent with lease rights granted” are vague and subject to interpretation. This ambiguity can lead to differences in interpretation between the lessee and the Forest Service.

The reason for stipulations and information notices in the other action alternatives is to clarify, up front, specifically how environmental safeguards are to be implemented so there is no question or ambiguity about what is required, who is to do it and who is to pay for it.

Taking your landslide point as an example: under SLTs a lessee could present his own expert with a differing opinion on what constitutes an active landslide and what measures are “reasonable” within such areas. The benefit of adding stipulations is that prospective lessees bid on a lease knowing before bidding that they are subject to the specific stipulations rather than the general terms of the SLTs.

9.8.1.7. *Renewable/Alternative Energy*

9.8.1.7.1. Representative comment(s)

Name	Organization
Sonya Connors	
Comment	
Agree that U.S. needs to reduce dependence on foreign oil especially after September 11th, 2001, but conservation is the way to accomplish this goal.	
Name	Organization
Jeff McMillan	Isla Vista Chapter Surfrider Foundation
Comment	
Urge you not to consider drilling in LPNF and look for ways to conserve energy.	

Name	Organization
Peter Coyote	
Comment	
Do not be misled by post 9-11 appeals for energy independence. Need to conserve better by raising fuel efficiency standards from 20 to 30 mpg which would make it unnecessary to import foreign oil.	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
Any new oil and gas activities are years if not a decade away. After a decision has been made, leases must be granted, environmental regulations must be followed, exploration must commence, once oil is found additional environmental review must be conducted, then building must commence, and finally production can begin. During this time conservation measures could be in place that could save much more oil and gas than LPNF could ever produce. Oil and gas may not even be the prevailing paradigm when these facilities go on line. With advances in alternatives moving ahead, oil and gas may be considered outdated before the first barrel is ever pumped.	

9.8.1.7.2. Agency Response

The proposed action, based on the purpose and need as stated in Chapter 1 of the FEIS, is to determine which, if any, additional portions of Los Padres National Forest lands should be made available for oil and gas exploration, development and production. This is required by the Leasing Reform Act regulations 36 CFR 228, subpart E. The action alternatives are reasonable scenarios for leasing additional lands and the no-action alternative would not lease additional lands. Renewable/alternative energy alternatives and increasing required automobile mileage standards do not respond to the purpose and need and are outside the scope of this analysis.

9.8.1.8. Suggested New Alternatives

9.8.1.8.1. Representative comment(s)

Name	Organization
Neil & Ann Havlik	
Comment	
no leasing of non-HOGPAs	
Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
CNPS does not understand the logic by which an area of probably higher impact from drilling is afforded less protection (Alternative 3) than an area less likely to be drilled (Alternative 4). Due to the probably increased density of activity within a HOGPA, cumulative impacts will be greater and will require a higher level of mitigation. For this reason CNPS finds Alternative 5 to be illogical from the point of view of resource protection, and we would suggest that it be removed. This is particularly a problem as several of the HOGPAs are very rich in resources.	

Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
A modification to Alternative 5 that eliminates the South Cuyama HOGPA due to many T&E species there would be a preferential compromise.	
Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
Another concern of ours is the possibility of environmental extortion. It is possible that someone could lease sensitive land such as an important roadless area or popular recreation area and then threaten to build roads and facilities hoping that the federal government or a land conservancy organization will buy him out at a highly inflated price. There is one application for nearly 10,000 acres in the popular Grade Valley/Lockwood Valley area where the probability of finding meaningful oil or gas is negligible. Alternative 5 leaves many important areas of the Mt. Pinos R.D. open for such a possibility. Alternative 5A does a better job by protecting more roadless areas but still leaves many vulnerable locations in and around inholdings, recreation areas and wilderness areas. We would like to have stipulations of NL and NSO applied to the regions north of the Sespe Wilderness and around the Chumash Wilderness.	
Name	Organization
James L. McBride	Vaquero Energy
Comment	
Include Condor Refuge Wilderness area of SESPE into study provided they are accessed from existing production sites.	

9.8.1.8.2. Agency Response

The intent of Alternative 5 was to discourage leasing in areas where the potential for oil and gas occurrence is lower while, at the same time, providing sufficient protection in the form of Alternative 3 stipulations to areas where the potential is high.

The New Preferred Alternative, which was developed in response to the DEIS comments received, does not lease any lands outside of HOGPA's. While the New Preferred Alternative does lease 34,000 acres of the South Cuyama HOGPA, surface occupancy would not be allowed on 30,700 of this acreage.

The Grade/Valley/Lockwood Valley area, as well as the region north of the Sespe Wilderness and around the Chumash Wilderness, is not leased under the New Preferred Alternative. All Wilderness areas are withdrawn from further mineral entry.

9.8.2. Cultural Resources

Concern was expressed for the Chumash culture and archaeological sites.

9.8.2.1. Representative comment(s)

Name	Organization
Das Williams	
Comment	
Would violate some of the last sacred sites of the Chumash	
Name	Organization
FORM LETTER 07	
Comment	
Concerned about impact on Chumash people and culture.	
Name	Organization
Fred Eissler	Scenic Shoreline Preservation Conference
Comment	
The preservation of the total Cuyama front offers opportunity to study and appreciate the Chumash culture.	
Name	Organization
Lorraine White	
Comment	
Archeological sites could be harmed.	

9.8.2.2. Agency Response

The following Information Notice is to be made a part of all leases to ensure that the lessee is aware of the requirement to protect cultural resources and the impact that these resources may have on the opportunity to conduct ground disturbing operations See FEIS section 4.5.1.1 for more detail.

“Prior to any ground-disturbing activities, a cultural resource inventory covering the proposed area of effect/disturbance will be conducted. Mitigation measures necessary to protect any and all cultural resources will be taken by the lessee/operator. Mitigation may include the relocation of the proposed activity, testing, salvage, or recordation or other protective measures. If these measures would not be effective in protecting the cultural values present, then no surface occupancy of the lease area would be allowed.”

Past experience using this mitigation measure has shown that it has been sufficient and effective in protecting cultural resources should they be discovered during project implementation.

9.8.3. DEIS Adequacy

9.8.3.1. *Description of Issues*

Concerns were expressed regarding the adequacy of the purpose and need description, indirect effects, as well as the adequacy of the pipeline impact analyses.

9.8.3.2. *Purpose & Need*

9.8.3.2.1. Representative comment(s)

Name	Organization
Rodney R McInnis	US Dept. of Commerce; NOAA Fisheries
Comment	
<p>The revised EIS should clearly identify the specific objectives for the proposed action and the underlying condition the Forest is attempting to address because the existing EIS provides no distinguishable description of the purpose and need that would justify the Forest's response to suggest the proposed action and the alternatives. An EIS must describe the "underlying purpose and need to which the agency is responding in proposing the alternatives, including the proposed action" (40 CFR 1502.13). The purpose and need section should also describe the problems that may result if the proposed action is not implemented. Without an understanding of the true purpose and need, it is unknown whether the alternatives and proposed action are adequate to meet the underlying purpose and need, and whether the resulting significant environmental impacts and effects are warranted.</p>	

9.8.3.2.2. Agency Response

Chapter 1 "purpose and need" has been revised to provide clarity.

9.8.3.3. *Indirect Effects*

9.8.3.3.1. Representative comment(s)

Johanna Wald	Natural Resources Defense Council
Comment	
<p>The Forest Service apparently considered only the lands that would be directly affected by development in calculating the affected acreage and, even at that, used a smaller figure than other agencies have used. The impacts of development activities, however, are felt on more than just the acreage directly affected. Exploration and construction activities cause increased erosion as well as air and water pollution. Oil that enters streams through spills and/or runoff can kill fish and bottom-dwelling species as well as riparian vegetation either directly or indirectly.</p>	

9.8.3.3.2. Agency Response

While only projected direct ground disturbing effects are characterized in terms of acres impacted, this analysis addresses potential indirect effects and cumulative effects as well. Please see the following FEIS sections regarding the resources you listed:

Resource	FEIS Section
<i>Erosion</i>	<i>4.3.3 Watershed Resources</i>
<i>Air Impacts</i>	<i>4.3.2.12 Summary of Air Quality</i>
<i>Water Impacts</i>	<i>4.3.3 Watershed Resources</i>
<i>Spills</i>	<i>4.5.8.3 Spill Hazards</i>
<i>Riparian</i>	<i>4.4.5 Vegetation</i>
<i>Fisheries</i>	<i>4.4.4 Fish & Aquatic Wildlife</i>

The FEIS is a programmatic document and the ROD will amend the Forest Plan to provide expanded management direction for oil and gas leasing. The decision does not provide for, nor authorize, any ground disturbing activities or specific projects. If the BLM issues a lease for a particular area, the lessee must later submit a specific proposed plan of operations, which will then undergo further site-specific environmental analysis.

9.8.3.4. Pipeline Impact Analysis

9.8.3.4.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
Page S-27: The first full paragraph sets forth the assumption that existing facilities such as pipelines and processing facilities will be used to handle any production resulting from new leases. Please clarify which laws or regulations ensures shared use of such facilities if owned and operated by parties different than the new lessees.	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
The DEIS fails to adequately consider the full scope of impacts associated with the development of pipeline corridors. Potential impacts that must be fully considered include the encroachment and spreading of exotic and invasive plant species, loss of and fragmentation of wildlife habitat, erosion, hazards associated with potential fire and explosion, and impacts associated with the abandonment of pipelines. The DEIS does not explain whether or not abandoned pipelines will be removed, or what impacts would be associated with removal or abandonment of unused pipelines. Measures to minimize or avoid erosion of the LPNF's extremely susceptible soil regimes, such as varying depths for pipeline burial, are also missing.	

9.8.3.4.2. Agency Response

The DEIS and FEIS do cover the issue areas mentioned. In several instances the FEIS provides additional analysis, revisions, or clarification of information. Please refer to the DEIS and FEIS analyses in the following sections regarding the subject matter listed:

<i>Invasive Plants</i>	<i>DEIS 4.4.2.4.2; FEIS 4.4.5.2</i>
<i>Habitat Fragmentation</i>	<i>DEIS 4.4.3.2.8; FEIS 4.4.2.2</i>
<i>Erosion</i>	<i>DEIS 3.1.2 & 4.3.3; FEIS 3.1.2 & 4.3.3</i>
<i>Fire</i>	<i>DEIS 3.3.8.2 & 4.5.8.1; FEIS 3.3.8.2 & 4.5.8.1</i>
<i>Abandonment of Pipelines</i>	<i>DEIS & FEIS page C-32</i>

The assumption that existing facilities and pipelines will be utilized to the fullest extent is based on economics, not laws or regulations. The reasonably foreseeable development scenario projection of oil and gas quantities is not large enough to justify extensive new pipeline and powerline construction. Where existing pipelines and powerlines are close by they most likely would be utilized as in the Sespe and South Cuyama existing fields. Where there are not existing pipelines and powerlines, oil and gas is expected to be transported by truck and power generated on site.

The RFD analysis projects the amount of pipelines that are reasonably foreseeable for each alternative. Actual pipeline amounts and locations are not known until after lessees are sold, exploration is conducted and wells are located, drilled and proven. As a result, the analysis at this pre-leasing stage addresses what programmatic impacts can be generally expected and whether the land is suitable and available for lease and, if so, whether the surface can be occupied and what appropriate mitigation measures lessees can expect if certain conditions occur at specific locations they propose. There will be a second stage of decision-making at the project level if a specific project is actually proposed by a lessee, and at that time site-specific environmental analysis will be done.

9.8.4. Specific Geographic Areas

9.8.4.1. *Description of Issues*

The Forest Service received many comments from people objecting to leasing in specific areas. The purpose and need for this proposed action was to develop management direction to identify the lands that are suitable and could be made available for leasing. The Forest Service considered the public comments on various areas and used these issues and concerns, as well as other resource issues, in the development of the alternatives, the New Preferred Alternative in particular.

9.8.4.2. *Figueroa Mountain, La Brea Canyon, Monroe Swell, Rincon Creek, Lopez Canyon and Piedra Blanca HOGPAs*

9.8.4.2.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	County of Santa Barbara Board of Supervisors
Comment	
We believe an improved DEIS will show little benefit, if any, given current market County of Santa Barbara	

<p>trends, to opening up areas such as the Figueroa Mountain area to oil and gas leases, given their environmental and recreational attributes, not to mention unacceptable level of impacts to County roads. Thank you for the opportunity to participate in the decision-making process at hand. We hope you will continue to seek our input as the decision-making process proceeds</p>	
Name	Organization
California Native Plant Society	David H. Chipping, PhD
Comment	
<p>While I do not know the conditions in each one of the HOGPAs, I can certainly testify to the extremely rugged and scenic values in the Lopez Canyon, Figueroa Mountain and Piedra Blanca HOGPAs. These areas will tolerate no sidehill road cutting without profound disturbance of scenic values .</p>	
Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
<p>RFP projections are very minor (0.1 BOE or less) for both of these (Figueroa Mountain and La Brea Canyon HOGPAs) areas that new surface disturbances are unwarranted. In both cases, private land is adjacent to the HOGPA. Both areas have significant visual qualities, especially on Figueroa Mountain. We would not want additional development on forest lands in these areas.</p> <p>We are concerned about possible impacts to the Lake Casitas Recreation Area and to the visual quality along Hwy 150. Communities in Meiners Oaks and Carpinteria may be impacted by noise, odor and additional truck traffic. A significant roadless area around White Ledge Peak should be protected form new roads and pads. We also want NL or NSO stipulations for areas near the Chismahoo Mountain Road. This is a rugged area with pristine views from Lake Casitas. We would prefer to see no additional oil and gas development in the Rincon and Coyote Creek areas.</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>The Piedra Blanca HOGPA area is located in a region of very steep mountains where any cuts made along the slopes would be very visible and erosive. The area has dramatic views of the upper Sespe Creek, and Reyes Creek/Cuyama River drainages. Any forest visitors to the Pine Mountain/Reyes Peak area would have severely degraded visual quality to the area. State/Forest Scenic Highway 33 would additionally be adversely effected with visual impacts. The sounds and smells of oil and gas development would impinge on the recreational experience of all visitors to the area. Other problems would include the additional fire hazards of the oil and gas activities in an area prone to high fire danger.</p>	
Name	Organization
Nathaniel Boota	
Comment	
<p>No more roads (in Piedra Blanca).</p>	

9.8.4.2.2. Agency Response

The Figueroa Mountain, La Brea Canyon, Monroe Swell, Rincon Creek, Lopez Canyon and Piedra Blanca HOGPAs are not leased in the New Preferred Alternative. The Rincon HOGPA, and other parts of the study area within close proximity of Lake Casitas and State Highway 150, is not leased in the New Preferred Alternative.

9.8.4.3. *Fox Mountain*

9.8.4.3.1. Representative comment(s)

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>Drilling in the Fox Mountain potential wilderness unit is especially unwise given the high level of condor activity in this roadless area. In 2001 California condors laid two eggs -the first in the wild since 1984 - at a nesting site within the Fox Mountain roadless area, in the vicinity of Lion Canyon. These two eggs represent half of all the known wild-laid eggs in California since 1984. Additionally, the California Condor Recovery Program operates a condor release site in Lion Canyon. We are concerned that any drilling activity in the South Cuyama HOOP A will introduce new disturbances and adverse impacts to condors in this wild area. The current surrounding oil and gas operations have already negatively impacted the condor program in the past, and any further activities nearer to the release site would only exacerbate these problems. The Lion Canyon release site has greatly benefited from its remoteness from human intrusions. Any increase in intensive activities such as oil and gas exploration or production in the canyons or ridges of the area will adversely effect this remoteness that the program has largely benefited from thus far.</p>	
<p>Wilderness values of the Fox Mountain and Moon Canyon proposed wilderness areas are outstanding, but would be severely impacted by oil and gas drilling activity. These two units are adjacent to the existing San Rafael Wilderness, along the north face of the Sierra Madre which forms a nearly unbroken chain for about 30 miles. The region is bisected by several drainages, each offering a refuge for wildlife from the region's intense summer heat. These canyons often host ancient conifer forest and streamside hardwood forests of sycamore, California bay, live oak, willow, and cottonwood. Much of the remaining area is open grassland, chaparral, and pinyon-juniper woodlands. Surprisingly, despite the region's semi-arid nature, springs are common throughout this area.</p>	
<p>The California condor once again soars above these potential wilderness areas. The plains of the Cuyama Valley make for excellent foraging, while the mountains above offer nesting and roosting habitat. Black bear, mule deer, jackrabbit, mountain and valley quail, rubber boa, coyote, band-tailed pigeon, blue grouse, and perhaps even California spotted owl can also be found in the potential wilderness additions. Like much of the Sierra Madre, the area offers excellent summer and fall hunting opportunities for Native Americans living in the Cuyama Valley. Evidence of their use of the region can still be found in some areas. We recommend a stipulation of "no surface occupancy"</p>	

9.8.4.3.2. Agency Response

Your concern has been taken into consideration in the identification of the New Preferred Alternative. 37,500 acres of the 47,500-acre Fox Mountain IRA is within the South Cuyama HOGPA. In the New Preferred Alternative 25,400 (68%) of this would not be leased. The remaining 12,100 acres (32%) would be leased with the No Surface Occupancy stipulation.

9.8.4.4. Lake Piru

9.8.4.4.1. Representative comment(s)

Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
<p>RFD numbers for the Piru area are not separated from the Sespe but based on current production, the estimated reserves are around 100 K barrels. Most of the flat, favorable land is privately owned leaving mostly steep slopes unsuitable for oil and gas development. Furthermore, the area is a popular recreation area with private camping and boating operations on Lake Piru, and USFS camping at Blue Point (currently closed). Hiking trails along Agua Blanca Creek and the Potholes Trail lead into the Sespe Wilderness. The view is especially spectacular near the top of the Potholes. New roads and pads would severely degrade the visual quality of the area. The sounds and smells of oil and gas development would impinge on the recreational experience of visitors. There are 2 small regions on the east side of Lake Piru in Canton Canyon that have a stipulation of LSU and/or STL in alternatives 3, 4 and 5. Access to the site, currently roadless, would result in significant visual damage. Possible oil spills into Lake Piru could threaten recreational opportunities. There seems little sense in leasing these parcels as the maximum possible oil extracted would be very small. We recommend changing the stipulation to "no lease" (NL) or at minimum "no surface occupancy" (NSO). We also support the NL stipulation for areas west of the lake, especially near Reasoner Canyon.</p>	

9.8.4.4.2. Agency Response

<p>Your concern has been taken into consideration in the identification of the New Preferred Alternative. The New Preferred Alternative has limited leasing in the Sespe HOGPA under strict stipulations to prevent or mitigate impacts to the environment and other resources. The New Preferred Alternative (see Figure 2-6) would lease the Sespe HOGPA under the alternative 5a scenario. All inventoried roadless areas are either under a no surface occupancy stipulation or not leased. The analysis concludes that the SLT and LSU areas can be developed without significant environmental effects.</p>

9.8.4.5. San Cayetano and Santa Paula Canyon

9.8.4.5.1. Representative comment(s)

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>San Cayetano HOGPA is one of the most popular areas in LPNF and offers direct trail access to the Sespe Wilderness. Unfortunately this HOGPA boundary directly abuts the Sespe Wilderness, and the preferred Alternative 5 would permit new drilling activity in some areas as close as 1/4 mile from the Sespe Wilderness boundary. Many popular recreation sites are in this area. Santa Paula Creek has a very heavily used trail leading to a popular camp site and waterfalls. Spectacular sedimentary formations can be found all throughout the region, especially on the Last Chance Trail on the north fork and around Bluff Camp on the east fork. Other popular areas include beautiful Sisar Canyon and The Pines Camp above Horn Canyon. Many people are introduced into the Sespe Wilderness from these trails. RFD estimates show a possible development of 1 new pad, 0.1 miles of new road and 3 acres of disturbance. The only likely location for this site appears to be in Wilsie Canyon adjacent to private land. With estimates of 0.1 BOE or less, we don't feel that further surface disturbances are justified. Most of the oil can be reached via slant drilling on private land. Lease stipulations for 3, 4, and 5 have NL or NSO for most of the region. For reasons not clear to us, 3 small parcels have LSD</p>	

stipulations. One is near Bluff Camp near the wilderness boundary in an area that is steep and roadless. Another lies along Santa Paula Creek near Big Cone Spruce Camp. Development of any of these parcels, specially those in Santa Paula Canyon would bring irreparable damage to visual quality and wildlife. We urge that the stipulation be changed to NL or at minimum NSO.

9.8.4.5.2. Agency Response

Your concern has been taken into consideration in the identification of the New Preferred Alternative. In the this alternative 99.6 % of the HOGPA is either no lease (NL) or no surface occupancy (NSO). The NL and NSO completely encompass the areas of concern and buffer the Sespe Wilderness. The 3 acres of disturbance would be located in the remaining 0.4 % of the HOGPA where surface occupancy would be allowed, areas near the Forest boundary.

The reasonably foreseeable projections for the New Preferred Alternative for the San Cayetano HOGPA are the same as those listed for alternative 5a in the DEIS listed on page 2-34. Slant drilling from existing pads or off Forest was projected where considered feasible. That is why there are 6 wells projected and only one new pad. No roads or pipelines are projected. This results in 3 acres initially disturbed that would be reclaimed after operations are completed.

9.8.4.6. *Sawmill Badlands*

9.8.4.6.1. Representative comment(s)

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>This roadless area includes several major potential additions to the Chumash Wilderness. The most significant of these are the Badlands North/Quatal Canyon unit, and Badlands/Apache unit, both of which are still used by Chumash Native Americans for spiritual ceremonies and festivals. Much of the Badlands North unit is included within the South Cuyama HOGP A, and a little less than half of the southern unit is also. Both of the Badlands units consist of a unique geologic area to the California landscape. These areas are comprised of highly eroded, very steep and rugged terrain that precludes travel. It is extremely difficult to create and maintain a trail within this region, let alone an access road. This is another area, especially the northern unit, that is utilized as a buffer and overflight area for the California condor. Any increase in such intensive activities such as oil and gas exploration or production in the canyons or ridgetops of this area will adversely effect this remoteness that the condor recovery program has depended from thus far. We recommend a stipulation of "no lease" (NL), or at minimum, "no surface occupancy" (NSO).</p>	

9.8.4.6.2. Agency Response

Your concern has been taken into consideration in the identification of the New Preferred Alternative. The Quatal Inventoried Roadless Area is not leased in the New Preferred Alternative. The portion of the Sawmill Badlands IRA outside the South Cuyama HOGPA is not leased in the New Preferred Alternative. A significant portion of the Sawmill Badlands IRA inside the South Cuyama HOGPA that cannot be reached by slant drilling would not be leased. The remaining portion of the Sawmill Badlands IRA inside the South Cuyama HOGPA could be leased but would be protected from development by a no surface occupancy stipulation.

9.8.4.7. Sespe

9.8.4.7.1. Representative comment(s)

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>The SESPE HOGPA also directly abuts the Sespe Wilderness and some alternatives propose leasing in close proximity to the wilderness. Most of the flat, favorable land is privately owned leaving mostly steep slopes unsuitable for oil and gas development. Furthermore, the area is a popular recreation area with private camping and boating operations on Lake Piru, and DSFS camping at Blue Point (currently closed). Hiking trails along Agua Blanca Creek and the Potholes Trail lead into the Sespe Wilderness. The view is especially spectacular near the top of the Potholes. New roads and pads would severely degrade the visual quality of the area. The sounds and smells of oil and gas development would impinge on the recreational experience of visitors. The existing Sespe Oil Fields are located in a region of very steep mountains of pink Sespe Formation soils that are especially noticeable when cuts are made along slopes. The area has dramatic views of Sespe Creek, a designated Wild and Scenic River, cutting across the east-west direction of the Topatopa Range. It is the home of the California Condor, which recently fledged its first successful wild chick in this area. The Hopper Mountain National Wildlife Refuge is also nearby. Many visitors to the Sespe Wilderness pass the oil fields on their way to Dough Flat. The oil fields represent one of the highest degraded visual qualities of the forest. One sees pads cut out of the sides of steep slopes and ridge tops lined with oil derricks. Pipelines and powerlines are also very noticeable. Access roads are narrow and prone to sliding. Risk of an oil spill is higher here than most of the current oil fields in the forest. Alternatives 3, 4 and 5 show a stipulation of NL or NSO for most of the area and 96 acres for SLT which the maps show as adjacent and surrounded by current lease areas. RFD show a possible impact of 14.5 acres with 1.0 miles of new roads and pipelines, 14 new pads with 1 injection. The additional impact on this site from new leases would only exacerbate the current problems. Why was slant drilling from current disturbed areas not considered an option? We would not want to see additional surface disruption in the current lease area nor in possible new adjacent areas and strongly feel that plans for restoration and rehabilitation of the current lease area needs to proceed before there is any new activity on the site. Although not part of the DEIS, we are very concerned about injecting steam/water at this site due to possible contaminates polluting water used by wildlife.</p>	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>Sespe. Another steep and mountainous area with dramatic views of Sespe Creek, a designated wild and scenic river, this area is the home of the California Condor. It is near the Hopper Mountain National Wildlife Refuge and the "gateway" to the Sespe Wilderness. The site of current oil development, it already has suffered significant and extremely noticeable visual degradation. More than 14 acres of direct surface disturbance is projected, without any consideration given to either slant drilling or rehabilitation of already damaged development sites.</p>	
Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
<p>The oil fields represent one of the highest degraded visual qualities of the forest. One sees pads cut out of the sides of steep slopes and ridge tops lined with oil derricks. Pipelines and powerlines are also very noticeable. Access roads are narrow and prone to sliding. Risk of an oil spill is higher here than most of the current oil fields in the forest.</p>	

9.8.4.7.2. Agency Response

Your concern has been taken into consideration in the identification of the New Preferred Alternative. The New Preferred Alternative has limited leasing in the Sespe HOGPA under strict stipulations to prevent or mitigate impacts to the environment and other resources. The New Preferred Alternative (see Figure 2-6) would lease the Sespe HOGPA under the alternative 5a scenario. All inventoried roadless areas are either under a no surface occupancy stipulation or not leased.

Under the New Preferred Alternative over 90% of the Sespe HOGPA would either not be leased or could be leased only with a no surface occupancy stipulation. 24% of the HOGPA would not be leased. This is the area that would otherwise be NSO but cannot be reached by slant drilling from accessible sites. Another 68% of the HOGPA would be leased with a no surface occupancy (NSO) stipulation to avoid active landslides; steep and erodable soils; critical wildlife habitat; recreation sites; semi-primitive non-motorized areas; wild and scenic river corridors; inventoried roadless areas; and visually sensitive areas. This leaves 7.8% of the HOGPA where a lessee could actually occupy the surface. Most of this (7%) would be under strict limited surface use stipulations to protect other resources and the environment. The analysis concludes that the SLT and LSU areas can be developed without significant environmental effects.

The reasonably foreseeable projections for the New Preferred Alternative for the Sespe HOGPA are presented in Table 2-17. Drilling from existing pads and off-Forest was projected where considered feasible. That is why there are 14 wells projected from only three new pads. One mile of road and one mile of local pipeline are projected to connect with the existing system in the Sespe oil field. This results in 14.5 acres initially disturbed of which 6 acres would be reclaimed during operations.

9.8.4.8. South Cuyama

9.8.4.8.1. Representative comment(s)

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>The South Cuyama HOGPA area is located in a region of very steep mountains where any cuts made along the slopes would be very visible and erosive. The area has dramatic views of the upper Cuyama River drainage and all or most of the canyons along the northeastern portion of the Sierra Madre Mountains. Other problems would include the additional fire hazards of the oil and gas activities in an area prone to high fire danger. Threatened and endangered species living in these roadless areas would be impacted by all of these effects as well - we are especially concerned about the endangered California condor which has prime habitat within this HOGPA. We recommend a stipulation of "no lease" (NL), or at minimum, "no surface occupancy" (NSO).</p>	

Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
<p>The South Cuyama HOGPA area is another area that is located in a region of very steep mountains where any cuts made along the slopes would be very visible and erosive. The area has dramatic views of the upper Cuyama River drainage and all or most of the canyons along the northeastern portion of the Sierra Madre Mountains. We are especially concerned about potential conflicts with the California Condor Recovery Program and this HOGPA's proximity to the Lion Canyon release site. The current surrounding oil and gas operations have already negatively impacted the condor program in the past, and any further activities nearer to the release site would only exasperate these problems. The condor program at the Lion Canyon site has greatly benefited from its remoteness from human intrusions. Any increase in such intensive activities such as oil and gas exploration or production in the canyons or ridges of the area will adversely affect this remoteness that the program has largely benefited from thus far. We recommend a stipulation of no lease (NL), or at minimum, no surface occupancy (NSO).</p>	
Name	Organization
Nathaniel Boota	
Comment	
<p>Please do not construct roads in the Cuyama Valley for this area has great potential of becoming a wilderness area.</p>	

9.8.4.8.2. Agency Response

<p>Your concern has been taken into consideration in the identification of the New Preferred Alternative. The New Preferred Alternative proposes limited leasing in the South Cuyama HOGPA under strict stipulations to prevent or mitigate impacts to the environment and other resources. The New Preferred Alternative would lease the South Cuyama HOGPA under the Alternative 5a scenario. Refer to Figures 2-4 and 2-5. In Alternative 5a all inventoried roadless areas are either not leased or leased with a no surface occupancy stipulation. .</p>
<p>Under the New Preferred Alternative 58% of the South Cuyama HOGPA would not be leased. This is the area that would otherwise be NSO but cannot be reached by one half-mile slant drilling from accessible sites. Another 38% of the HOGPA would be leased under the NSO stipulation to avoid active landslides; steep and erodable soils; critical wildlife habitat such as California Condor; recreation sites; semi-primitive non-motorized areas, inventoried roadless areas and visually sensitive areas. This leaves only 4% of the HOGPA where a lessee could actually occupy the surface. Half of this remaining 4% would be under limited surface use stipulations for resources protection. Within the remaining roughly 2% BLM standard lease terms are sufficient to protect the resources and environment.</p>
<p>The reasonably foreseeable projections for the New Preferred Alternative for the South Cuyama HOGPA are the same as those listed for Alternative 5a in the DEIS listed on 2-34. A significant portion of the development is expected to access the federal oil and gas resource from outside the Forest boundary via slant drilling. As a result, only five new wells, one new well pad, no new roads, and one mile of pipeline are reasonably foreseeable within the Forest boundary. This results in three acres initially disturbed, which would be rehabilitated once operations were over.</p>
<p>Stipulations attached to Alternative 5A will result in no effect on the occupied habitats of any listed species, including the California Condor. The Biological Opinion from the U.S. Fish and Wildlife Service (See Appendix F) concludes that leasing proposed under the New Preferred Alternative is not likely to jeopardize the continued existence of the California condor and other listed species.</p>

9.8.5. Health & Safety

9.8.5.1. *Description of the Issues*

Many respondents expressed concern for health & safety impacts related to the potential for fire and oil and gas spill impacts.

9.8.5.2. *Fire*

9.8.5.2.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	County of Santa Barbara Board of Supervisors
Comment	
<p>Additionally, with regard to fire hazards, the DEIS should analyze the potential fire hazards associated with any new human activity, especially those introducing new combustible materials and any incendiary devices (including internal combustion engines) into areas with native species and their habitat. Any new fire hazard to the area should be fully mitigated. Any such mitigation involving removal of vegetation for fuel management purposes should consider the concomitant effects of habitat loss, erosion and visual impacts.</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>Other problems would include the additional fire hazards of the oil and gas activities in an area prone to high fire danger.</p>	
Name	Organization
Tim O’Keefe	Sierra Club Santa Lucia Chapter
Comment	
<p>Road building, and increased Forest access will certainly increase the risk of wild-fire major problem for the Forest.</p>	

9.8.5.2.2. Agency Response

Please refer to the updated sections of the FEIS addressing fire in sections 3.2.8.2 and 4.5.8.1. All alternatives require the preparation and implementation of a fire prevention and suppression plan under the authority of the BLM standard lease terms. These requirements have been in effect and have been effective for over 30 years in the existing Sespe and Cuyama oil fields within Los Padres National Forest.

9.8.5.3. Spills

9.8.5.3.1. Representative comment(s)

Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Numerous oil and gas facilities currently in production in the have significant spillage near the well openings. The steep mountain slopes of LPNF increase the likelihood of inevitable oil and drilling fluid spills and leaks entering into waterways and aquifers. Oil spills cause surrounding vegetation to become toxic, pollute drinking water, and eliminate soil productivity for plants. Saline-rich water discharged from oil and gas wells changes the chemical composition of soils, reduces soil, air and water permeability, and significantly decreases plant productivity around the site.</p>	
Name	Organization
State Attorney General Bill Lockyer	State of California, Dept of Justice
Comment	
<p>The hundreds of miles of new oil and gas pipelines that will be required present human health and environmental risks from potential ruptures and leaks that have not been adequately analyzed.</p> <p>One of the most significant flaws in the DEIS is its failure to discuss in more than passing fashion the potential impacts of ruptures, spills, and leaks from the oil and gas pipelines that will be needed to link wells and tanks and to carry the product to refineries or markets. The production of oil and gas from the new Los Padres leasing will not only necessarily result in the construction of numerous new pipelines, but will increase the use of existing ones. As acknowledged in the DEIS, as much as 427 miles of new pipeline will need to be constructed if all of the areas contemplated for oil and gas production are leased and developed. DEIS at p. 4-165.</p> <p>While the DEIS has several one sentence references at various places within its pages regarding the possibility of leaks from pipelines, none of these brief statements indicate or analyze the potential seriousness of these spills. There is not even an explanation of why the Forest Service considers the risk small. Spills from oil pipelines also present the possibility of environmental damage to water bodies, wildlife, and other sensitive resources. Given that some of the alternatives will make lands in or near designated Wild and Scenic Rivers and other environmentally sensitive areas available for leasing, the potential for spills to cause environmental harm is serious and substantial. Although a short section of the DEIS refers to spills, it is extremely general, and is principally concerned with possible water pollution, and with spills from wells, tanks and trucks. This discussion contains no specifics, and omits mention of fire and explosion dangers, and of pipeline accidents. Failure to provide information about the major potential environmental consequences from forest-wide oil leasing activity means this DEIS fails to meet NEPA requirements to provide the public with full environmental disclosure. NEPA requires that the EIS contain a reasonably thorough discussion of the significant aspects of the probable consequences of an action. Because the environmental impacts analysis in the DEIS lacks detail, the document's discussion of mitigation of spill impacts is also lacking in meaningful specifics. Instead, the DEIS discusses, in only a very general way, that the Oil Spill Contingency Plan for Los Padres will be followed, and that operators will be required to prepare spill prevention and HAZMA T plans. It is unclear whether and to what extent any of these requirements addresses mitigation for the specific risks posed by this project; accordingly, the DEIS fails to comply with the requirements of NEPA to discuss mitigation in sufficient detail to ensure that environmental consequences are fairly evaluated. Impacts of pipeline accidents are a forest-wide as well as a site-specific issue, and should have been addressed in this DEIS to allow for informed decision making.</p>	

Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>One final note is the almost certainty that Southern California will experience another major earthquake in the near future. LPNF is crisscrossed by hundreds of major and minor faults. The massive San Andreas Fault lies in close proximity to the forest. A major earthquake in an actively producing oil field could have consequences that could take decades to repair, if at all. The sensitive ecosystems found in a Mediterranean climate like ours may never fully recover from such a spill.</p>	

9.8.5.3.2. Agency Response

Please review the revised section on pipelines and spills in sections 3.3.8.4 and 4.5.8.3 of this FEIS.

Table 4-51 on page 4-165 of the DEIS is part of the recreation impact analysis that indicates the maximum density of oil and gas facilities that could occur by Recreation Opportunity Spectrum (ROS) Class before the recreational opportunity was substantially degraded. None of the alternatives would result in “hundreds of miles” of new pipelines. Alternative 2 would have the maximum development and is projected to result in 17 miles of new pipeline. The reasonably foreseeable amount of new pipeline for the New Preferred Alternative is shown in Table 2-17 of the FEIS. It is 2 miles of pipeline, not 427.

The risk of environmental impacts as a result of a pipeline spill is related to the amount of pipeline, the design and maintenance of the pipeline, the proximity to resources at risk, preventative measures and spill contingency plans. Oil spills can cause substantial environmental damage if not prevented or mitigated. Substantial impacts to air, soil, water, vegetation, wildlife, scenery, recreational opportunities and human health have resulted from pipeline failures. These issues will be addressed and analyzed in detail at the site-specific level during the analysis of a proposed project.

The sections of the DEIS related to pollution and spills have been improved in the FEIS. The potential consequences of spills are addressed in the respective resource sections of chapters 3 and 4 of the final EIS and in specific sections, which directly address spills (sections 3.3.8.4 and 4.5.8.3). The exposure of sensitive watersheds, steep slopes, recreational opportunities, scenic resources, wilderness, threatened, endangered, and sensitive wildlife habitat, waterways, and roadless areas to pipelines are minimized in the preferred alternative by either not leasing the sensitive lands or applying no surface occupancy, or limited surface occupancy stipulations. The design and maintenance of pipelines is strictly regulated by federal and state requirements that include consideration of many factors including the seismic zones pipelines would be in. Given the small amount of pipeline that is reasonably foreseeable, the pipeline design and maintenance standards that must be adhered to, the stipulations that prevent or limit surface occupancy in sensitive resource areas, and the spill prevention plan requirements, the risk of negative environmental impact from pipeline failure is considered low.

9.8.5.4. Noise

9.8.5.4.1. Representative comment(s)

Name	Organization
Dennis Thomas	
Comment	
We need large protected areas that are free of noise, roads and other disturbances, not only for wildlife but also for ourselves.	
Name	Organization
Richard Bradley	
Comment	
Section 4.3.3.2 “Noise” recognizes that noise may disturb people, but I feel that there is no acceptable increase in noise levels in all areas considered. In particular, each year I backpack along the Sierra Madre Ridge, above New Cuyama, and I already hear some noise disturbance from the oilfields more than a mile away. More wells located up on the mountain will greatly decrease the peacefulness and serenity of this scenically beautiful location. I also hike and backpack in the areas throughout the Sespe, and behind Santa Paula and Fillmore. These areas cannot withstand further noise increases.	

9.8.5.4.2. Agency Response

These and other noise comments expressed concern for the impact noise can have on wildlife and recreationists. These impacts have been addressed in DEIS & FEIS sections 3.3.3.2 and 4.5.3.2 on noise; sections 3.3.9 and 4.59 on recreation; and sections 3.2 and 4.4 on wildlife. The analysis indicates that alternatives 3, 4, 4a, 5, 5a and especially the New Preferred Alternative will not result in significant noise impacts to wildlife or recreationists.

9.8.6. Oil & Gas Drawdown, Infrastructure and Slant Drilling

9.8.6.1. *Description of the Issues*

Comments were received concerning draw down of the federal oil and gas resources from non-federal operations, industrial infrastructure existing and needed, and the application of slant drilling.

9.8.6.2. Draw Down

9.8.6.2.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>The first paragraph on page 1-11 states, among other things, that the pending decision by the USFS cannot preserve oil and gas deposits for the future. As currently written, this sentence suggests that the USFS cannot legally choose alternative 1 (the no leasing alternative). Please elaborate on the legal parameters of the decision and explain if the law prohibits USFS from denying access to a particular area for purposes of oil and gas development should the adverse environmental impacts outweigh the benefit of oil and gas development.</p> <p>Additionally, this paragraph notes that the federal government has a financial interest in leasing that might be jeopardized should drainage of federal deposits occur from wells drilled on private lands. Please elaborate which policies guide the decision in choosing a drill-site should the environmentally superior location be on private lands, but would result in drainage of federal deposits.</p>	

9.8.6.2.2. Agency Response

<p>The Forest Supervisor could certainly choose Alternative 1. The referenced sentence is not intended to imply that the USFS cannot legally choose Alternative 1 (the no additional leasing alternative). The point being made on page 1-11 of the DEIS is that, in some cases, the federal government cannot prevent the federal oil and gas resources from migrating to a well located off of the National Forest. The same oil and/or gas deposit could occur partially under the National Forest and partially under non-federal lands. Even if there were no leases on Los Padres National Forest, such an oil and/or gas deposit could be accessed from the non-federal lands and the part of the deposit located under the National Forest could be “drawn” to the well on private lands.</p>
<p>The Forest Service does not choose drill sites. One objective for the lease terms and stipulations is to encourage lessees to propose environmentally superior drill sites. Should an environmentally superior well site be located off Los Padres National Forest the lessee would have to comply with the policies of state and local government in siting the well. If the adjacent federal lands were either unavailable for leasing or available and not leased the federal oil and gas resource could be drained from the private land.</p>
<p>Potential draw down, among other factors, is considered by BLM in determining which available lands to offer for lease.</p>

9.8.6.3. Industrial Infrastructure

9.8.6.3.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
Subsection 3.3.6, Oil and Gas Development. The first paragraph of subsection 3.3.6.4 (Industrial Infrastructure)	

is substantially inaccurate, thereby providing a very inaccurate assessment of the costs and benefits of opening new forest lands to oil and gas development. We have verified with staff of the California Coastal Commission that no refineries in California have been idled for lack of crude oil. Refineries are temporarily idled for two reasons: (1) planned maintenance (called turnarounds), and (2) unplanned repairs, largely due to unexpected accidents that have damaged key equipment and plants. We have also confirmed that there is no excess capacity that results in unfilled demand. Such circumstances would result in investigations by the Attorney General's office and clearly be prevalent in the media (i.e., market manipulation to raise the price of crude oil products).

Rather, the California oil market, and the heavy crude market in particular, has been characterized by low and unstable oil prices since 1986, when Saudi Arabia terminated its role as a swing supplier.

9.8.6.3.2. Agency Response

The point of section 3.3.6.4 regarding industrial infrastructure is that existing refineries would accommodate the small amounts of oil and gas that any new LPNF leasing might generate and not generate a need for additional refining capacity. Oil and gas supply and demand and thus prices and production vary with time. Such changes over time may explain the differences from the time the DEIS was written to the time you wrote your response. Currently gasoline prices are high and increasing. Shell Oil recently sold its Bakersfield refinery, citing a decline in supply from local California oil fields.

9.8.6.4. *Slant Drilling*

9.8.6.4.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>Please address the extent to which extended reach drilling technology, which can reach as far as 5 miles from the drill-site, can reduce impacts on scenic resources. Additionally, we request revision of the models because the current modeling is based on the incorrect and gravely outdated assumptions that extended reach technology is limited to a distance of 1/2 mile from the drill-site. Rather, current capabilities can reach as far as 5 miles from the drill-site (see the attached figure). Fewer drill-sites would reasonably result in fewer miles of new roads and pipelines, further reducing unnecessary disturbance to the surface of forest lands. Moreover, current technology allows larger buffer zones between environmentally sensitive resources such as anadromous fish streams and drilling activities, including service roads. Several examples of the use of such technology exist locally. Both Unocal and Exxon Mobil have been able to reduce the number of drill-sites originally projected to develop offshore reserves. Several other offshore lessees are now proposing to develop undeveloped fields from existing platforms, situated over producing fields because extended reach technology now allows such development from a distance up to five miles.</p> <p>We can only surmise, given the broad generality of the DEIS, that this discrepancy alone may substantially overstate the number of drill-sites - and, therefore, the number of acres - that would be required and disturbed, respectively, with any new leasing and development. It also may preclude the identification of less environmentally sensitive locations from which reserves might be tapped. Current and future directional-reach drilling conceivably can reduce the number of drill-sites, pipelines, and service roads require to develop suspected reserves, and may allow some of these reserves to be developed from existing, already disturbed sites, or locations outside of the national forest.</p>	

Name	Organization
Esteban Solis	CA Native Plant Society Channel Islands Chapter
Comment	
<p>It is stated that by consequence of the assumed 1/2 mile access limit of this technology, "land more than 1/2 mile within NSO or more than 1/2 mile from accessible private-land within NSO areas is not offered for lease in Alternative 5." While this is true, of course consequently, one is left to wonder what will or may be offered within the areas bounding and adjacent to NSO zones within a 1/2 mile or less buffer. We assume, certainly, that these areas will be subject to alternatives and/or stipulations that provide the maximum protection within these areas given their proximity to neighboring NSO areas. Since there is much more to be known about this relatively newer technology, more analysis should be included as to what are the terms and other conditions that should be included within these successive zones.</p>	
Name	Organization
Tom Luster	CA Coastal Commission
Comment	
<p>We have similar concerns regarding some of the technological assumptions used in the DEIS. For example, the DEIS analyses are based on the assumption that drilling can reach only about 1/2 mile, whereas current extended reach drilling capacities allow wells to be drilled several miles from their target deposit. Incorporating just this one change into the analyses could significantly reduce adverse impacts by resulting in fewer roads and drill pads, less surface erosion, and fewer adverse effects on water.</p>	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>The DEIS does not take into account the possibility of "slant" or "directional" drilling, which could reduce environmental impacts to National Forest lands.</p>	

9.8.6.4.2. Agency Response

Slant drilling and multiple wells per pad have been implemented within the Sespe oil field on Los Padres National Forest. We understand that in other applications, mostly involved with offshore operations, slant drilling distances up to five miles may have been achieved. The slant distance achievable is as much a function of economics as it is a function of technology. Just because it is technologically possible doesn't mean it is economically feasible or reasonably foreseeable. It depends on the amount and quality of the subsurface resource, the medium that must be drilled through and the expected revenues from the oil/gas. The one-half mile figure that has been used is considered reasonably foreseeable and is based on the experience of the project consultant mining geologist who has many years of experience working in the oil fields in and around Los Padres National Forest.

The one-half mile figure was utilized to estimate how far slant drilling could reach within an area where surface occupancy wasn't allowed (NSO stipulation). BLM policy is to not lease lands within NSO areas that are not accessible. Consequently, in reference to alternatives 5, 5a and the New Preferred Alternative, had a figure greater than one-half mile been used the effect would have been to increase the amount of land leased under the NSO stipulation while decreasing the amount of land not leased.

9.8.7. Other/General

9.8.7.1. *Description of the Issues*

This category consists of two sub-categories: Reasonably Foreseeable Development, and Data & Assumptions.

9.8.7.2. *Reasonably Foreseeable Development*

9.8.7.2.1. Representative comment(s)

Name	Organization
Stephen McMasters	San Luis Obispo County Planning & Bldg. Dept.
Comment	
If development were to occur outside of the HOGPAs the estimate of disturbance would be grossly inaccurate. Leasing decisions outside the identified HOGPAs should undergo additional analysis at the time it is considered.	
Name	Organization
Karin Koch	
Comment	
How has the analysis accounted for impacts that would occur should oil & gas exploration reveal more oil and gas than anticipated in Appendices C and D? The impacts would be more extensive and long lasting. Does the scope of the analysis limit the level of impacts that may occur?	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
The first full paragraph on page 1-15 outlines, but does not explain, the basis for determining the RFD; that is, historic oil and gas information, geologic information, and projected market trends. However, we find the DEIS to carry some critical errors in determining the RFD. For instance, the consultant misunderstands the current technological capability of extended reach drilling, instead using assumptions based on technological capabilities 20 or more years old. We also find that the projection of market trends is seriously flawed. Consequently, we request considerable expansion of this section to provide a more detailed explanation of the information and assumptions used to develop the RFD. We also believe that use of more accurate information and assumptions may lead to a notably different RFD.	

Name	Organization
Daniel Kramer	CA Independent Petroleum Association
Comment	
<p>CIPA, IOPA, and CNGPA would like to emphasize that a lack of potential or lack of current industry interest should not be considered a basis for closing lands or imposing constraints on future development. The level of interest can change overnight, rendering an area previously considered to have low potential highly prospective due to new information, technology or economics. It is important that future opportunities to explore for and develop natural gas and oil resources not be foreclosed.</p>	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The DEIS claims that a mere 45 acres of surface disturbance will result from implementation of the preferred alternative. There would be a total of 63 new wells under the preferred alternative 5, plus an additional 22 new wells that presumably come along with Alternative 1 which is included in all other alternatives, if those are to be counted separately. According to the DEIS, no further surface disturbance will result from 6 of the 22 Alternative 1 wells which will be developed on existing well pads. DEIS 2-19. Please explain whether any additional or expanded infrastructure at all will be required to develop these 6 wells. The other 16 "no action" wells will be new wells requiring all of the associated surface disturbance.</p> <p>The CBD believes that the 45 acre figure, as well as the figures in the other alternatives, is dramatically understated and requests that the Forest Service further substantiate its conclusions including the projected acreage of disturbed surface area required for each well pad, associated roads, pipelines, power lines and other associated infrastructure. Even if the Alternative 1 wells are included in the 63 well projection under Alternative 5, there are at least 50 new wells that would be constructed. Using the Forest Service's figures, that means there would be less than one acre of surface disturbance per well. Again, please substantiate these figures.</p> <p>Regardless of the exact acreage of disturbed surface area under any of these alternatives, none account for the much larger acreage that will be impacted by the roads, other infrastructure and other impacts resulting from the exploration, development and operational activities. Whatever the surface disturbance acreage is, it surely will not be confined to a single neatly defined sacrifice area. Instead, the roads, pipelines, power lines and well pads will be dispersed over vast areas of the LPNF, fragmenting wildlife habitat, disturbing vegetative communities, and spoiling recreational experiences throughout the Forest.</p>	

9.8.7.2.2. Agency Response

The Federal Onshore Oil and Gas Leasing Reform Act regulations (36 CFR 228 – Subpart E) require that the analysis be based upon a reasonably foreseeable development scenario (RFD). The RFD was prepared by, and with input from, knowledgeable professional geologists and engineers. The RFD and all its assumptions are contained in Appendix D of the DEIS and FEIS. The numbers of wells and drill pads, miles of roads and pipelines, etc. which are predicted by the RFD are, by definition, what "reasonably" can be expected to occur. The oil and gas regulations direct that the analysis of effects be based on the development predicted by the RFD. Development is not expected to exceed the levels identified in the RFD. If it does, to provide a measure of control over the development of an oil field, the recreation LSU stipulation limits the density of development that can occur on the Forest, based on ROS class. Also, the staged decision process, which is described in Appendix A, provides that additional environmental analysis be done at the "field development" stage. At that time, further mitigation measures can be identified to eliminate or reduce any negative impacts associated with development of an oil field.

9.8.7.3. Data & Assumptions

9.8.7.3.1. Representative comment(s)

Name	Organization
Tom Luster	CA Coastal Commission
Comment	
<p>Significant elements of the DEIS appear to be based largely on what appears to be out-of-date information. For example, the section of the DEIS describing the biological environment (Section 3.2), including threatened and endangered species, sensitive habitat areas, and other resources, cites data sources primarily from the early to mid-1990s. Section 3.3 of the DEIS, covering socioeconomic issues related to employment, population, and other economic conditions and trends, uses sources from that same time period. Additionally, in its discussion of recreational uses on LPNF lands, the DEIS states that the Forest Service stopped collecting data on this resource use in 1982. There is also no mention of the National Park Service (NPS) proposal to establish a new national seashore or similar recreational area along the Gaviota Coast and in some portions of the LPNF, and no assessment of the direct, indirect, or cumulative impacts of the proposed LPNF leasing on the NPS proposal.</p> <p>As a result of using these older data sets, the analyses of environmental and socioeconomic consequences contained in Chapter 4 of the DEIS likely do not adequately describe current and potential conditions in LPNF or the likely effects of the proposed activities. This is of particular concern in the evaluation of biological resources, given that LPNF provides habitat for at least 23 species identified as endangered, threatened, or proposed for listing under the federal Endangered Species Act. Many of these species are dependent on habitat in areas identified in Los Padres National Forest Draft EIS as suitable for increased oil and gas leasing. We are also concerned about the use of older data to describe socioeconomic conditions and the related potential adverse effects (e.g., public access, transportation, etc.), given the likelihood for some of those impacts to occur within the coastal zone of Santa Barbara and Ventura counties</p> <p>Recommendation: We recommend the analyses of environmental and socioeconomic consequences be based on more recent and thorough data to allow an adequate evaluation of the proposed activities. We believe there are numerous sources of more recent applicable data that would provide a better evaluation---</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>The DEIS does not employ the most up-to-date data on threatened and endangered species. For example, in 2001, endangered California condors laid two eggs - the first wild eggs laid in California since 1987 - in a nest in the Fox Mountain Roadless Area, in the vicinity of Lion Canyon. But this condor nesting site does not appear on GIS coverages (maps) in the DEIS. The DEIS uses outdated survey data for several threatened and endangered species - updated data exist for some of these species, but were not used in the DEIS. The 1999 Foothills and Mountains Assessment contains updated species information- but this document was not used in the DEIS.</p>	
Name	Organization
Tom Luster	CA Coastal Commission
Comment	
<p>Basis of Assumptions Used in the Analyses: It is not clear whether the assumptions used in the DEIS to determine the likely environmental and socioeconomic consequences of the proposed actions are related to specific mandatory requirements or other applicable regulatory standards. While the assumptions used provide a way to assess the scope or scale of a potential impact, it is not possible to determine how realistic they are in accurately determining the potential consequences of the proposed actions.</p> <p>For example, the assumptions contained in Table 2-1 of the DEIS are described as being common to all the</p>	

alternatives and as providing the basis for the environmental consequences outlined in Chapter 4. The table includes, for instance, assumptions that access roads would be constructed at the rate of 1,000 feet per day, would be surfaced with native soils for the first year and would be paved after one year; that wells would be drilled one at a time in any given area and drilling a well would take 23 days; and that pipelines would be constructed at the rate of 333 feet per day in trenches three feet wide and 4.5 feet deep. The DEIS does not state, however, whether these assumed performance measures are regulatory requirements, or if they are merely advisory.

Without tying the assumptions to a specific required performance standard, we are unable to determine whether the analyses result in a valid assessment of likely impacts.

We recommend you provide additional information that relates the assumptions used in the DEIS analyses to specific regulatory requirements that would be imposed by the Forest Service or by other regulatory agencies. This additional information should include a description of whether these assumptions conform to applicable Coastal Act policies, including those policies that require activities be implemented using the feasible least environmentally damaging alternative and adverse environmental impacts be mitigated to the maximum extent feasible.

9.8.7.3.2. Agency Response

The National Park Service (NPS) prepared the Gaviota Coast Feasibility Study and EA (2003) to determine whether all or part of the Gaviota Coast study area is suitable and feasible for designation as a unit of the National Park System. Congress authorized this study in 1999. The study area covers a 76-mile stretch of coastal watersheds in Santa Barbara County. Through the feasibility study process, the NPS made the following determinations about the Gaviota Coast study area:

The area is not a feasible addition to the National Park System because sufficient land is not currently available to the NPS; strong opposition from study area landowners makes it unlikely that effective NPS management could occur; and the NPS is not able to undertake new management responsibilities of this cost and magnitude, given current national financial priorities.

Consequently, the project is not considered reasonably foreseeable under NEPA and is not included in the cumulative effects analysis. In addition, the New Preferred Alternative does not make any land available for lease that would affect the area considered in the NPS feasibility study or the Coastal Zone.

The analysis of impacts to wildlife including threatened, endangered, and sensitive species has been revised based on up to date habitat models. Please refer to section 4.4 of the FEIS.

We acknowledge that the economic data utilized is dated. The consultant interdisciplinary team economist has reviewed applicable census data for the year 2000. It is his opinion that changes in the data would result in projecting impacts, determined to be insignificant with the older data, to be even more insignificant with updated data because:

- *The results of the input output modeling, based on the dated data, indicate that the socioeconomic impacts of oil and gas development, even under the most intense alternative 2 scenario, are insignificant.*
- *All other action alternatives, especially the New Preferred Alternative result in considerably less oil and gas development than alternative 2 and thus have even less socioeconomic impact.*
- *The change in the census data indicates an increase in population and economic activity in all Counties resulting in a larger economic market to absorb the already insignificant impacts.*

The purpose of Table 2.1 is to list assumptions made in order to estimate effects not to list mitigation measures required. Some of these assumptions carry forth into lease terms while others deal with reasonably foreseeable rates of construction progress that are neither required by regulation or advisory.

9.8.8. Process Issues

9.8.8.1. *Description of the Issues*

There were numerous comments dealing with the process of determining which, if any, additional LPNF land should be available for oil and gas leasing. These comments dealt with the following sub-categories:

- | | |
|---|---|
| <i>Coastal Commission Consistency Determination</i> | <i>Re-circulate DEIS</i> |
| <i>Complete Forest Plan Revision First</i> | <i>Re-examine Existing Leases</i> |
| <i>Existing Leases/Forest Plan</i> | <i>Staged Decision Process/Site-Specificity</i> |
| <i>FEIS Comment Period</i> | <i>Use of Stipulations</i> |

9.8.8.2. *Coastal Commission Consistency Determination*

9.8.8.2.1. Representative comment(s)

Name	Organization
Tom Luster	CA Coastal Commission
<p>Comment</p> <p>The actions being contemplated in the DEIS require the Forest Service to submit a consistency determination to the Coastal Commission, pursuant to requirements of the federal Coastal Zone Management Act (CZMA, 16 u.S.c. 1451 et seq.). While the DEIS (at page 1-5) acknowledges part of the state's role pursuant to the CZMA in reviewing proposed activities requiring federal permits, it does not fully describe the obligation of federal agencies whose actions may affect the coastal zone. While the analyses presented in the DEIS are based largely on most of the LPNF lands within the coastal zone being withdrawn from leasing consideration, there are still several areas of LPNF lands within the state's coastal zone that are eligible for increased oil and gas leasing and there are many LPNF lands outside of the coastal zone upon which leasing activities could affect coastal resources. For example, parts of the Rincon Creek High Oil and Gas Potential Area (HOGPA), an area considered a strong candidate for leasing activities, are located within and adjacent to the coastal zone in Santa Barbara County. In addition, some of the leasing activities inland of the coastal zone could result in direct, indirect, or cumulative adverse effects on coastal resources.</p> <p>Section 307 of the CZMA requires federal agencies to provide a consistency determination to the state that includes a finding as to whether the proposed activities within the coastal zone or proposed activities outside the coastal zone that may affect coastal resources are consistent to the maximum extent practicable with the enforceable policies of the CCMP. This finding must be accompanied by the information necessary to support such a conclusion, including an analysis of the proposal's consistency with Chapter 3 of the state's Coastal Act (see CFR Section 930.39 for a full listing of the information required for a complete consistency determination). The state may then review the proposed activities and provide its concurrence with, or objection to, the federal agency's determination. The Coastal Commission previously reviewed the LPNF Management Plan in 1988 and provided its concurrence with that Plan on June 7, 1988 (Consistency Determination #CD-18-88). The proposed changes to the Management Plan now being evaluated in this DEIS trigger the need for an additional consistency determination.</p> <p>The Coastal Commission will evaluate the consistency determination you submit based on the policies of Chapter 3 of the California Coastal Act. These policies relate to public access, recreation, biological resources, environmentally sensitive habitat areas, agriculture, water quality, cultural resources, aesthetics, hazard prevention, oil and gas development, and other elements associated with coastal resources. In addition, Local Coastal Programs (LCPs) of the affected areas that have been certified by the Commission are used to provide additional information and guidance for applying Chapter 3 policies.</p>	

9.8.8.2.2. Response

Comments received from the California Coastal Commission have been taken into consideration and have contributed to the identification of the New Preferred Alternative that results in no adverse impacts to the Coastal Zone.

The Forest Service has submitted a negative determination pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations. The Commission concurrence is included in Appendix F, Agency Consultations. It concludes as follows in reference to the New Preferred Alternative:

“With the near-coastal zone portions removed from the lease areas... the Commission staff agrees with the Forest Service that the proposed project qualifies for a negative determination both because development on these leases does not have the potential to affect the coastal zone, and because the lease continuations can be considered the same as or similar to a consistency determination with which the Commission has previously concurred (CD-18-88). We therefore **concur** with your negative determination made pursuant to 15 CFR Section 930.35 of the NOAA implementing regulations.”

9.8.8.3. *Complete Forest Plan Revision First*

9.8.8.3.1. Representative comment(s)

Name	Organization
State Attorney General Bill Lockyer	CA Dept of Justice
Comment	
<p>To identify specific lands for leasing prior to completion of the revised forest plan is inconsistent with the purpose and requirements of the NFMA. At the same time that it has released this DEIS, the Forest Service is in the midst of a multi-year process - commenced in 1999 after four years of assessment and analysis - to revise and amend the current Los Padres National Forest Land and Resource Management Plan, as part of a Southern California "Conservation Strategy."</p> <p>Given the extensive scientific and legal record the Forest Service has developed in support of the need to revise the Forest Plan in order to develop consistent and appropriate management direction for the Los Padres to undertake a sweeping, forest-wide decision to commit particular lands to oil and gas development before the new management prescriptions are in place is, from a planning perspective, premature and illogical. As the Forest Service acknowledges, its leasing decisions could very well conflict with revised Forest Plan direction that will be finalized only two years from now, and - if leases have been issued by the BLM in the meantime - that the Forest Service would be bound to honor them even should they conflict with the new Forest Plan.</p> <p>The project is inconsistent with the forest plan. The DEIS does not point to any authority that permits the Forest Service to first decide to lease specific lands and then to conform the forest plan to that decision at a later date. In fact, the NFMA and its implementing regulations require uses of forest land to be consistent with the applicable forest plan.</p> <p>the Reform Act regulations also require consistency with the forest planning process. 36 C.F.R. § 228.102(c) ("[t]he leasing analysis shall be conducted. . . in accordance with the requirements of 36 C.F.R. part 219"); 36 C.F.R. § 228.102(e) (Forest Service must verify that oil and gas leasing is consistent with the land and resource management plan before making the decision to lease specific lands). The existing forest plan references these NFMA planning principles by expressly requiring that the exploration and development of energy resources be "integrate [d] . . . with the use and protection of other resource values." DEIS at p. S-24. Inconsistent with this plan directive, however, this DEIS has been deliberately divorced from the ongoing planning process to examine use and protection of other resources from a forest-wide perspective.</p> <p>The Forest Service may well discover after completion of the forest plan revision that the use of these areas for</p>	

oil production was inappropriate when balanced against the other uses and needs of the Los Padres. By proceeding in contrary fashion, the Forest Service has failed to comply with the NFMA and has deprived the public of a meaningful opportunity to evaluate fully the impacts of the decision.	
Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Proceeding with this environmental impact statement before updating Los Padres Land and Resource Management Plan is premature and is ill informed. The current Management Plan dates to the mid-1980's and clearly does not provide the necessary information and analysis required to make an informed decision on oil and gas activity within this region. Since there are no pending leases in Los Padres, it is appropriate to first complete the new Management Plan and use it to guide the decision on new leasing in the Forest.</p> <p>The existing forest plan references these NFMA planning principles by expressly requiring that the exploration and development of energy resources be "integrate [d] . . . with the use and protection of other resource values." DEIS at p. S-24. Inconsistent with this plan directive, however, this DEIS has been deliberately divorced from the ongoing planning process to examine use and protection of other resources from a forest-wide perspective.</p>	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>We support your efforts to update the Forest Plan, but urge you to re-schedule your planning activities, timing the decision about opening new areas to oil and gas leasing to follow, rather than precede, the update of the Forest Plan. It stands to reason that, under the current schedule, your decision to open new areas to oil and gas development will adversely influence the update of the Forest Plan. Essentially, sound planning calls for the updated Forest Plan to be binding on the decision about oil and gas leasing rather than the reverse situation. There currently is no substantive reason not to delay the oil and gas leasing decision, given current market trends.</p>	
Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
<p>Any decisions on oil and gas leasing should be deferred until the entire forest planning process is completed.</p>	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>These facts also give increased weight to the argument that the Oil and Gas Leasing proposal should be postponed until the Forest Management Plan Revision Process has been completed. Although you stated in our 3/28 meeting that the leasing areas might be amended depending upon the outcome of the Forest Plan, you also stated that if any new leases were granted before the Forest Plan was completed then those leases would be legally defensible thus prohibiting any amendments. This is a serious concern of mine. It means that the recommendations of the Forest Plan may not be enforceable and thereby dismissing public input in the Forest Plan process.</p>	

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>If leases are issued before the new Forest Plan is completed, they cannot be retracted by the new Forest Plan. "Fast-tracking" this oil and gas proposal is inappropriate; you should wait for completion of the Forest Plan. The Forest Service is not required to complete the Los Padres Oil and Gas Leasing EIS before the ongoing Forest Plan revision process is completed, nor is it wise policy to do so (see detailed legal comments prepared by Center for Biological Diversity and co-signed by CWC). We urge you to withdraw this proposal until after the ongoing Forest Plan revision and Endangered Species Act Section 7 consultation processes are completed.</p>	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>In response to inquiries about the relationship between this EIS and its ongoing forest plan revision effort, the Forest Service has claimed that it "must proceed with processing applications under established procedures, outside of the forest planning process." "Frequently Asked Questions," FAQ-9. This contention makes a mockery of the plan revision process that the Forest Service has already begun and is at odds with the Forest Service's own regulations.</p> <p>The practical effect, should the revised Forest Plan be inconsistent with decisions made regarding these leases, is that the Forest Service will nevertheless be required to honor their terms. This will result in the contradiction of having activities on the forest that do not comply with the overall philosophy and/or terms of the revised Forest Plan. Forest resources will be harmed by actions that could have been prevented. Or the Forest Service will be required to buy the leases out</p> <p>In short, making irreversible decisions on the basis of a plan that is demonstrably inadequate for leasing purposes is not only unnecessary and unwise, it is unjustifiable.</p> <p>The Forest Plan for the Los Padres National Forest is over 15 years old and the Forest Service has admitted that it is inadequate and in need of updating. Consequently, the agency is engaged in revising the plan, but - as indicated - has decided to proceed with this EIS before the revision is complete. In addition, the existing plan is inadequate for a number of reasons - all of which relate to the decisions at issue here, including, as the Forest Service has acknowledged, because it "do[es] not include decisions for leasing specific lands," DEIS at S- 7, having been completed prior to passage of the Federal Oil and Gas Reform Act of 1987. The updated plan will make such land allocations.</p> <p>Still other problems were identified in 1990 by the U.S. General Accounting Office Council (GAO), which found that the existing plan lacked four of five "essential elements." See US. General Accounting Office, "Better Oil and Gas Information Needed to Support Land Use Decisions (June 1990) (GAO/RCED-90- 71). Specifically, the GAO found that the existing plan lacked adequate lease stipulations, a reasonably foreseeable development scenario, and a full analysis of indirect and cumulative impacts. Nonetheless, this EIS process could lead to the Forest Service making an irretrievable commitment i.e., issuing a lease - well before the updated plan is completed, thus prejudicing the revision process. DEIS at 11. Moreover, there is no question but that the Forest Service's own regulations assume the adequacy of a land use plan as the basis for oil and gas leasing decisions like the kind under consideration in this EIS. If they did not, there would be little reason for requiring that such decisions be "consistent with" the existing forest plan. 36 CFR § 228.102(e)(1).</p>	

Name	Organization
Representative Lois Capps	U. S. House of Representatives
Comment	
<p>I request the Forest Service delay the decision to open Los Padres National Forest to Oil and Gas Leasing and incorporate the proposal into the Los Padres National Forest Land and Resource Management Plan for consideration.</p>	

9.8.8.3.2. Agency Response

These comments appear to relate to a misunderstanding of how the Forest Plan amendment process applies in this case. The proposed action is to amend, not revise, the Forest Plan. The Forest Service has followed the procedures for a Forest Plan amendment provided for in 36 CFR 219.8. Regulations allow for Forest Plan amendments at any time. Forest Plan revisions, on the other hand, typically occur about every ten to fifteen years. Forest Plan amendments need not be held in abeyance once a Forest Plan revision process has been started. The environmental analysis for this Forest Plan amendment was started more than nine years ago and delayed several times due to changing Forest Service policies and direction such as the roadless rule, and funding. The result is that the Forest Plan revision process was started before the oil and gas leasing Forest Plan amendment could be completed. The timing is unfortunate and we regret the confusion and concern it has caused.

The proposed Forest Plan amendment is not "superceding" Forest Plan standards and guidelines; rather it is proposing to amend the Forest Plan standards and guidelines for oil and gas leasing. This amendment will set the direction for oil and gas leasing in the future.

It is neither required nor necessary to wait until the Forest Plan is revised to finish the oil and gas leasing analysis and make a Forest Plan amendment decision on oil and gas leasing.

The Government Accounting Office (GAO), in 1990, in comparing the Forest Plan which predates the Reform Act with Reform Act requirements found that the existing plan lacked adequate lease stipulations, a reasonably foreseeable development scenario, and a full analysis of indirect and cumulative impacts. This leasing decision: (1) implements that Forest Plan direction requiring an EIS, (2) amends the Forest Plan to identify available lands as required by the Reform Act, and (3) addresses the GAO issues.

The leasing analysis and the Forest Plan revision process overlap in time and are not being done exclusive of each other. This oil and gas FEIS analysis has been updated considering data generated for the Forest Plan revision process. The Forest Plan revision selected alternative in the Forest Plan revision DEIS is consistent with the oil and gas leasing FEIS preferred alternative.

Concerns were stated in several responses that new oil and gas leases may be let before the Forest Plan revision decision, and have lease rights that couldn't be overturned by the Forest Plan revision. We believe such a scenario is unlikely for two reasons. First, as stated above, we do not expect inconsistency in the oil and gas plan amendment and the revised Forest Plan. Secondly, given the timing, it is unlikely any leases will be sold before the Forest Plan Revision decision was made.

9.8.8.4. Existing Leases/Forest Plan

9.8.8.4.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>By virtue of the inclusion of Alternative 1, which itself is inconsistent with the Forest Plan management standards and guidelines, in each of the other alternatives, all of the alternatives in this DEIS are likewise inconsistent with the Forest Plan.</p> <p>The Forest Service readily admits in this DEIS that currently existing oil and gas leases on the LPNF do not meet all Forest Plan standards and guidelines. Nonetheless, the DEIS concludes that these inconsistent leases are entitled to continue, and moreover, must be considered a part of all alternatives. Please explain how it is that when all alternatives in this DEIS contain leases that are admittedly inconsistent with the existing Forest Plan, the Forest Service can then make the contradictory claim that any of the alternatives are consistent with the Forest Plan? The DEIS itself states that in general, all alternatives are not in complete compliance with the Forest Plan because they each encompass Alternative 1.</p> <p>The analysis of alternatives in the EIS should be comprehensive in order to meet the CEQ requirements to "sharply define the issues and provide a clear basis for choice among options by the decision maker and the public." 40 C.F.R. § 1502.14. By presenting only alternatives that fail to comply with the Forest Plan, and by failing to offer a true "no action" alternative, the LPNF has failed to "provide a clear basis for choice."</p>	

9.8.8.4.2. Agency Response

The proposed action is to amend current forest plan direction to propose new management direction for oil and gas leasing. The decision would set new Forest Plan direction and supercede the former direction.

9.8.8.5. FEIS Comment Period

9.8.8.5.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>Finally, we urge the FS to exercise its discretion under 40 C.F.R. § 1503.1(b), to hold a public comment period after the release of the FEIS of sufficient length to provide the public with adequate time to evaluate and comment on the FEIS prior to issuance of the record of decision.</p>	

9.8.8.5.2. Response

The Forest Service believes that the public has had sufficient time to comment during scoping and the DEIS review period and that the Forest Service has been responsive to the public comments. The Forest Service has made revisions to the DEIS, which are contained in the FEIS, and has identified a New Preferred Alternative

that responds to the public comments received.

9.8.8.6. Re-issue the DEIS

9.8.8.6.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
We find the DEIS in its current form to be seriously inadequate to sufficiently inform and support your pending decision whether or not to open new lands to oil and gas leasing. We respectfully request that you direct your staff to revise the DEIS and re-issue it for additional public comment.	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
Should the Forest Service choose to proceed with this NEPA analysis, to the extent that the DEIS fails to adequately identify impacts or issues, those fully developed analyses should be presented to the public again in another Draft EIS in order to allow for meaningful public comment. The CEQ Regulations state: NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA. 40 C.F.R. § 1500.1(b).	

9.8.8.6.2. Response

The public has had sufficient time to comment during scoping and the DEIS review period and the Forest Service has been responsive to the comments received. The Forest Service has complied with NEPA, identified, analyzed and disclosed issues, alternatives and environmental consequences to interested and affected individuals, groups, government bodies, and the decision maker. A New Preferred Alternative has been developed based on review and comments. There is no need for issuing and circulating another DEIS.

9.8.8.7. Reexamine Existing Leases

9.8.8.7.1. Representative comment(s)

Name	Organization
Majorie Erway	
Comment	
Re-examine all existing leases for compliance with environmental laws.	

9.8.8.7.2. Agency Response

Examining existing leases for compliance with environmental laws is part of lease administration involving several agencies and is outside the scope of this document.

9.8.8.8. Staged Decision Process/Site-Specificity

9.8.8.8.1. Representative comment(s)

Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
The impact analyses too are too general. The DEIS fails to provide adequate predictions of the air and water quality impacts of development. And, it lacks sufficient site-specific information about on-the-ground impacts of development that will result from making irretrievable commitments via the issuance of leases.	

Name	Organization
John T. Buse	Environmental Defense Center
Comment	
<p>While we believe that the DEIS is inadequate in a number of respects, the DEIS is fundamentally flawed because it defers detailed analysis of specific leasing and development impacts to the future. In this case, where such impacts are reasonably foreseeable consequences of the proposed action, NEPA mandates that these impacts be analyzed now.</p>	
<p>Exploration and development, with attendant ground disturbing activities, are the logical and expected results of leasing. The environmental consequences of such activities are not speculative. The DEIS' failure to evaluate these consequences in sufficient detail thwarts NEPA's objective of ensuring informed decision making. The extremely generic analysis of the environmental consequences of the various leasing alternatives discussed in the DEIS, however, does not permit an informed decision. The DEIS should be revised to include a comprehensive analysis of the foreseeable impacts of leasing, including exploration and development.</p>	

Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>We are concerned about the phased structure of decision-making with regard to oil and gas development in Los Padres National Forest because it promotes overly general and vague environmental analysis during the first phase of decision-making. Such is the case with the current DEIS, which essentially offers a very brief and overly general analysis of environmental impacts while deferring more detailed analyses of environmental impacts to the time when specific drilling projects are proposed. By this time, however, oil producers would have already invested substantial amounts of money into their respective leases, with the clear expectation of developing oil and gas should they discover such reserves in commercial quantities. To borrow the words of a 1984 Supreme Court decision, which are quite relevant here: "... a lease sale is a crucial step. Large sums of money change hands, and the sale may therefore generate momentum that makes eventual exploration, development, and production inevitable." (Quoted from the majority opinion in Secretary of the Interior vs. California, 104 S. St. 656.) "Approval for exploration and development is obviously the expected and intended result of leasing; if it were not, the Secretary would not bother to lease and the lessees would not bother to bid." (Quoted from the minority opinion in Secretary of the Interior vs. California, 104 S. St. 656)</p> <p>Although the foregoing excerpts applied to oil and gas leasing on the Outer Continental Shelf (OCS), their wisdom applies to Los Padres National Forest equally as well. Our experience with OCS leasing tells us that the current, pending decision about leasing options will have a very strong influence over the ultimate extent of oil and gas development. Essentially, the decision to open new lands in the Los Padres National Forest to oil and gas leasing appears to be tantamount to approval of development. Subsection 1.7.3.3 (page 1-19) states that this EIS and associated Record of Decision do not authorize any ground-disturbing activities. It further states that the FS cannot conduct adequate NEPA analysis to make decisions regarding specific operations on leasehold. We strongly disagree with this assumption, for it implies that leasing, and the monetary investment made thereof, does not provide a reasonable expectation of development and associated ground-disturbing activities. Leasing is perceived to be tantamount to development, and the Record of Decision to make lands available for leasing does, therefore, result in ground-disturbing activities because it provides sufficient expectation of development by virtue of exchanging large sums of money for the purchase of a lease. While this DEIS cannot address project-specific activities in detail, it could and should go much further in recognizing the importance of the decision at hand and the environmental impacts that would likely result. This DEIS should also explore under what realistic circumstances the Forest Supervisor might disapprove development of an area altogether at the SUPO decision, and under what realistic circumstances the lessee would be entitled to compensation if an area were disapproved for development.</p>	

9.8.8.8.2. Agency Response

This action is a Forest Plan amendment to identify land available for oil and gas leasing. The Forest Service uses a two tier decision-making in its land management planning. The first stage is at the programmatic Forest Plan level where land management direction is set for uses and activities on the forest. No specific projects or ground disturbing activities are generally proposed at the first stage. The second stage is the site-specific project level where site-specific effects of specific projects are environmentally analyzed. The courts have consistently upheld this two-stage approach.

As such, the analysis is as specific as it can be, given the nature of the staged leasing process and the fact that the specific locations of activities that may occur under leases are not known at this time. Our stipulations are geographically site specific and are based on hypothetical projected impacts assuming oil and gas activities occur at any particular location.

Onshore Oil and Gas leasing of federal lands presents a dilemma. When the leases are sold the lessee acquires a right to explore for and develop oil and gas resources subject to lease terms. Since these rights are acquired at the time of the lease it has been determined that the "project" is ripe for analysis pursuant to the National Environmental Policy Act (NEPA) at the time of lease. The dilemma occurs in that ground disturbing activities to occur under the lease are yet to be identified and proposed by the lessee. As such there is no site

specificity as to what, where, and how much is going to occur within the lease. In order to resolve this dilemma the implementing regulations require the development of a reasonably foreseeable development scenario (RFD) to base the analysis upon. This specific analysis has developed alternative leasing scenarios and a corresponding RFD to provide projections for each alternative leasing scenario. This still leaves the question of where within a lease these activities would occur. Since other resources and environmental factors vary considerably with geographic location it is essential to know specific locations. To solve this dilemma we utilized GIS modeling and asked the question; if oil and gas development occurred at any point in the lands not withdrawn from mineral entry what are the impacts to other resources and the environment? This allowed us to geographically determine which lands to lease under each alternative scenario and what specific geographically locatable lease stipulation to specify to protect other resources and the environment present on a particular area.

Generally, NEPA and CEQA deal with either programmatic projects such as land planning or site-specific projects. Oil and Gas leasing is a staged process that goes from planning to site-specific projects. This decision is the first stage in which the land planning “availability” decision is being made and the site-specific lands to be recommended for lease are identified along with lease stipulations. If and when any leases are sold, the next stage is much more site specific, in that the lessee proposes specific locatable activities. Plans for such activities must be submitted to the BLM and Forest Service for approval and are then subject to further analysis under NEPA.

9.8.8.9. Use of Stipulations

9.8.8.9.1. Representative comment(s)

Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
There appears to be some structural inconsistency between the Biological Resources Stipulations in Alternative 3, and the Recreation and Scenic Resource Stipulations. Both of the latter allow ex-situ mitigation, but no ex-situ enhancement alternatives are offered for the biological resources. Alternative 4 should be expanded to allow additional mitigation, beyond on-site mitigation, of impacted biological resources.	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
It is unclear whether No Surface Occupancy (NSO) areas that are considered inaccessible would simply not be leased under alternative 5 or 5a for the short-term or whether they would be deemed unavailable. Please clarify this issue.	
Name	Organization
U.S. Environmental Protection Agency, Region 9	Enrique Manzanilla
Comment	
EPA is also concerned that a decision to lease specific parcels under BLM Standard Lease Terms, which is proposed under both of the Preferred Alternatives to varying degrees, might preclude the Forest Service from taking necessary actions to protect Forest resources in the future. We believe it is critical that the Forest Service retain its ability to impose additional mitigation measures or deny subsequent development in situations where development would adversely affect sensitive Forest resources, including roadless resources. To prevent this from happening, we recommend that the Forest Service establish a procedure to veto or concur on future leases that may impact natural resources within the Los Padres National Forest.	

9.8.8.9.2. Agency Response

No Surface Occupancy (NSO) areas that are considered inaccessible in Alternative 5a and the New Preferred Alternative are allocated to No Lease and, as such, are not available for leasing.

There is no requirement or need for stipulations to be structurally consistent from resource to resource.

Under Alternatives 3, 4, 4a, 5, 5a and the New Preferred Alternative, BLM standard lease terms alone apply only where GIS analysis indicates additional stipulations are not warranted given the leasing scenario of each alternative. In the New Preferred Alternative less than 3% of the lands to be available for lease have only BLM standard lease terms. Conditions of Approval at the APD stage can be applied to give additional protection to forest resources. The need for these conditions would be identified during project-specific environmental analysis.

9.8.9. Recreation

9.8.9.1. *Description of the Issues*

Many comments were received regarding recreation issues, especially potential wilderness and roadless area impacts. Sub-categories included Recreation; Wilderness and Roadless areas; Scenery/Visual Quality and Wild and Scenic Rivers. Each is addressed below.

9.8.9.2. *Recreation*

9.8.9.2.1. Representative comment(s)

Name	Organization
Senator Wesley Chesbro	California State Senate
Comment	
The drilling of oil would not only affect wildlife and vegetation but will also substantially impact the recreational value of California.	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
As an avid hiker and backpacker, I also feel the need to comment on the impacts this proposal would have on the recreation and scenic values of the forest. I have hiked through much of the Los Padres including many of the areas identified as HOGPA. I have also spent considerable amount of time in and around the Sespe Oil Field. Oil and gas production has huge impacts to the recreational value of the forest. The roads are visible for miles and dramatically hinder a true wilderness experience. The pumping facilities are frequently sited on ridgelines and saddles due to the steep topography of the region. The Sespe Oil Field and its machinery and activities can be seen from peaks and ridgelines throughout the Sespe Wilderness. The smells emanating from the facilities are strong and nauseating. I can often detect the smells as the wind carries them over and through ridges and valleys, even if I cannot actually see the facility. The trucks that service these facilities are loud and kick up large amounts of dust and debris. The pumping facilities create a constant buzzing noise that, on a quiet night, can be heard from great distances. In addition, some of these pumping facilities have torches that stay lit 24 hours a day creating a very unnatural light in the evenings. A perfect example is the one lying almost due east of the Oak Flat Ranger Station.	

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
Oil and gas drilling increase air pollution, water pollution, and noise pollution, detracting from visitors' experience and degrading habitat for sensitive species.	
Name	Organization
Paul Gipe	Sierra Club Kern-Kaweah Chapter
Comment	
Los Padres National Forest is becoming an ever-more popular destination goal for the ever-increasing urban population of the state of California itself. The choices for the use of the forest lands for recreational uses should be given first priority. There are more and more persons who have learned to appreciate the value and pleasures of the outdoors and are choosing visits to public lands as among their top choices for spending their free time. Oil well drilling equipment, more pipe lines, more big trucks going on the limited roads, and the smell of the oil and gas in the air are just some of the qualities definitely not valued by visitors to the out-of-doors.	

9.8.9.2.2. Agency Response

Please refer to the recreation sections of chapters 3 and 4 and the recreation background report. A rigorous analysis of potential impacts to recreation opportunities was performed utilizing the Forest Service Recreation Opportunity Spectrum (ROS) system and GIS analysis. Specific NSO, LSU, and TL stipulations were developed to mitigate potential impacts to the recreation experience and applied in alternative 3, 4, 4a, 5, 5a and the New Preferred Alternative. Public comments in response to the DEIS were considered in determining which HOGPA's to make available in the New Preferred Alternative.

9.8.9.3. Roadless Areas and Wilderness

9.8.9.3.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
The DEIS dramatically underestimates the impact of all phases of oil and gas exploration, development and operation on the public's use and enjoyment of the national forest for recreation purposes. As noted in the beginning of these comments, the LPNF is one of the most popular and most highly visited national forests in California. It is a national and international scenic attraction. The impacts of oil and gas development will be felt throughout the LPNF, not just surrounding the immediate areas of the potential well sites, but also in the most sensitive and remote Wilderness and other areas of the forest that have been withdrawn from oil and gas entry. The CBD's members will be irreparable harmed by any further oil and gas activity on the LPNF.	
If new leasing is permitted in the Los Padres, the Fox Mountain East roadless area is highly likely to be drilled. Fox Mountain East lies in the center of the South Cuyama HOGPA, apparently the highest priority area in the Forest Service's planning documents. Every alternative in the DEIS foresees new drilling in the South Cuyama HOGPA and it ranks #1 for total oil & gas production expected, under every alternative except alternative 2 (where it ranks second behind Sespe). It also ranks #1 or 2 for total number of new wells estimated, in every	

<p>alternative.</p> <p>Considering the unresolved nature of the National Roadless Policy, it is inappropriate and premature to so closely tie the alternatives being considered to the speculative outcome of that policy debate. The preferred alternative 5, as well as alternatives 2, 3, and 4, presume that additional roads will indeed be built in previously inventoried roadless areas. This intrusion into the pristine and currently unroaded areas being considered for oil and gas leasing makes each of those alternatives unacceptable. The preferred alternative in this DEIS is Alternative 5 or 5a depending on outcome of the "roadless rule." However, there is no guarantee that the Forest Service will wait for the National Roadless Policy to be resolved before making irreversible leasing decisions. The Forest Service must commit to preserving the present condition of all IRAs within the LPNF and not allowing further intrusion into IRAs that would compromise their roadless character.</p> <p>The DEIS states that the LPNF contains 9 Wilderness Areas and 38 Inventoried Roadless Areas (IRAs). DEIS S-34. Nearly one half of the LPNF is included in the 9 Wilderness Areas. Id. To date, nearly half of the million acres included in the 38 IRAs has been included in the National Wilderness Preservation System pursuant to periodic evaluations of those roadless areas. Id. Because Wilderness Areas are automatically withdrawn from mineral entry this trend toward broader inclusion of roadless areas in designated Wilderness Areas is extremely relevant to the leasing availability decisions being made in this DEIS. The Forest Service states that 74% of the 140,000-acre area estimated to have high potential for occurrence of oil and gas (HOGPA) is within IRAs. (FAQ -6). 93% of most important HOGPA (South Cuyama) is within IRAs. (FAQ-6). All roadless areas within the LPNF should be maintained in their roadless state pending finalization of the National Roadless Policy so as not to irreparably and irreversibly remove the roadless characteristics that may qualify those lands for eventual Wilderness designation.</p>	
Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
<p>Alternatives 4a and 5a. CNPS strongly supports all LPNF administrative actions that maintain roadless areas, designated or otherwise, and therefore are supportive of LPNF's consideration of these alternatives. CNPS fears that oil and gas leasing, with its roads, pads, pipelines and utility corridors, will offer opportunities for trespass of vehicles into areas that are currently relatively pristine.</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>(The commenter provides lengthy comments on the important characteristics of five inventoried roadless areas and why they should be protected.)</p> <p>Most of the DEIS alternatives, including the preferred alternative 5, would lease and allow road building in Inventoried Roadless Areas -- in violation of the Forest Service's Roadless Area Conservation Rule. Protection of Roadless Areas is a paramount duty of the Forest Service, and the Los Padres should uphold the Rule.</p>	
Name	Organization
James Studarus	Conception Coast Project Two
Comment	
<p>Only 3 CA Condor eggs have been laid in the wild since its recovery effort began. of these were in the Fox Mountain Roadless area, an area proposed for oil and gas</p>	

Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
Values of LPNF's IRAs clearly should be protected and no development should be allowed within them.	
Name	Organization
John T. Buse	Environmental Defense Center
Comment	
With the outcome of the litigation regarding the Roadless Rule uncertain, the environmental analysis of the proposed action should be delayed until the status of the Roadless Rule is ascertained.	
Name	Organization
Alasdair Coyne	Keep the Sespe Wild Committee
Comment	
The Ojai RD, centered on the Sespe and Matilija Wildernesses and watersheds, contain most of the largest roadless area anywhere in the nation near a major metropolitan center. This should not be further eroded at its vulnerable edges, or anywhere else.	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>Although the Los Padres has lost more wildlands to development than any other forest in California, according to the California Wilderness Coalition, it is nonetheless "a major supplier of wildland recreation opportunities for central and southern California" and is already being 'loved to death' in many places. DEIS at 3-151. It "satisfies a unique demand for quick access to recreation from major urban areas" and "is in a position to provide primitive and semi-primitive recreation better than any other recreation provider near an urban metropolitan area." Id. at 3-156. As the population continues to grow in Southern California and the Bakersfield area, the demand for wild places will only increase. It is shortsighted to open up areas of such high recreational value to oil and gas development, jeopardizing the ability of Californians to enjoy them in the future.</p> <p>Specific areas and resources that would be compromised under this proposal and are of concern to NRDC, CalUWild, and TWS include, but are not limited to, areas referred to above that are important to the Condor and roadless additions to the Sespe, Dick Smith and Chumash Wilderness Areas:</p> <p>Many areas within the Forest are potential additions to existing wilderness areas. Many creeks-Sespe Creek, Santa Paula Creek, La Brea Creek, and others-are current or proposed Wild and Scenic Rivers. Development of these lands will have devastating impacts on the roadless values as well as their associated habitat and other values.</p>	
Name	Organization
Fred Eissler	Scenic Shoreline Preservation Conference
Comment	
We especially oppose oil and gas development on the Cuyama Front.	

Name	Organization
Alan Coles	Sierra Club So Cal Regional Conservation Committee
Comment	
<p>(The commenter provides lengthy comments on the important characteristics of five inventoried roadless areas and why they should be protected.)</p> <p>We are very concerned about possible impacts to inventoried roadless areas (IRA), especially those in the Cuyama Valley. We would prefer that the Roadless Area Conservation Rule be followed regardless of whether or not it is upheld in pending litigation. Once roads are built, they are very hard to eradicate and are prone to abuse by off-road vehicle users.</p>	
Name	Organization
Jonathan A. Libby	Ventana Wilderness Alliance
Comment	
<p>Once wildlands, roadless areas and wilderness are lost they are lost forever.</p>	
Name	Organization
Farion Pearce	Wilderness Guides Council
Comment	
<p>Oil and Wilderness don't mix. Our organization does not want to see any oil or gas leases in potential wilderness of the Los Padres National Forest. These areas should be permanently protected with wilderness designation.</p>	

9.8.9.3.2. Agency Response

Existing and proposed Wilderness values along with inventoried roadless area values are protected in alternatives 4a, 5a and the New Preferred Alternative. All existing Wilderness areas are withdrawn from mineral entry. All inventoried roadless areas are either not leased or protected by the no surface occupancy stipulation. The only part of inventoried roadless areas that could be leased in alternative 5a and the New Preferred Alternative are those areas within one half-mile of an accessible location for slant drilling from outside of the roadless area. In these areas there would be no surface activity permitted.

9.8.9.4. *Scenery/Visual Quality*

9.8.9.4.1. Representative comment(s)

Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Los Padres National Forest contains some of California's wildest and most rugged land. These lands provide spectacular opportunities for scenic enjoyment and people seeking recreation, tranquility, and wildlife viewing. According to the DEIS, the largest single recreational use of the Forest is "viewing scenery." The addition of oil and gas development to a given landscape creates significant adverse visible changes to the character of the region. These changes negatively impact the quality of residential, recreational, and roadway views, and create long-term adverse effects on the visual character of the setting. Because of the steep terrain of LPNF, new</p>	

production sites will be situated near the tops of ridgelines, significantly decreasing the scenic, aesthetic, and recreational value of the Forest for the majority of the Forest's recreationists.	
Name	Organization
Senator Jack O'Connell	California State Senate
Comment	
The LPNF is widely used as a scenic and recreational resource. An indicator of this extensive usage is the widespread and longstanding controversy over the National Forest's Adventure Pass program. Oil and gas leasing, and the industrial traffic associated with the development of these leases is in direct conflict with this recreational usage.	
Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
LPNF is highly valued for its recreational opportunities that include undisturbed habitat and uncompromised wildlands. Due to steep mountainous terrain within the LPNF, oil and gas facilities must be sited near and on top of ridgelines and saddles. This situation of the facilities severely decreases the scenic and recreational value of the land. They are eyesores. Restricting new leases within Inventoried Roadless Areas would help to solve these problems.	
Name	Organization
Anna Harlowe	Ecology Center of Southern California
Comment	
LPNF provides extraordinary opportunities to people seeking recreation, tranquility and spectacular scenery. Drilling activities would drastically alter those recreational opportunities.	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
Roads leave scars on steep slopes and oil rigs and pipelines are visible. Petroleum odors permeate the air around oil wells. These destroy the scenic beauty and sense of solitude that hikers and other backcountry users enjoy and expect. The National Environmental Policy Act requires the Forest Service to consider the negative effects on these values when proposing new development, regardless of the fact that these effects may not be easily quantifiable or be directly monetary.	

9.8.9.4.2. Agency Response

<p>The DEIS and FEIS analyze and disclose the potential direct scenic and indirect recreational impacts. The environmental analysis evaluates scenic impacts in great depth as documented in DEIS & FEIS sections 3.3.7 & 4.5.7 and the Scenic Background Report on file at the Forest Supervisors Office. Since, at this pre-lease stage, it is not known where a lessee might desire to occupy the surface, a model was developed that evaluated the scenic impact for all areas of the Forest not withdrawn from mineral entry. This model, in effect, asked the question, "If oil and activities occurred here would the scenic standards and guidelines in the Forest Plan be met, what would the impact be to the scenic landscape?" Such parameters as Visual Quality Objectives, visual absorption and viewing distances, among others, were factors in the analysis. This analysis determined the visual sensitivity of all locations to oil and gas activities. This allowed us to develop the stipulations that either prohibit surface occupancy or specify appropriate mitigation measures for limited surface use. As a result, any new lease under all of the action alternatives (except Alternative 2 which doesn't include such stipulations) would meet the Forest Plan visual standards and guidelines and adverse scenic impacts would be prevented.</p>

9.8.9.5. Wild and Scenic Rivers

9.8.9.5.1. Representative comment(s)

Name	Organization
John T. Buse	Environmental Defense Center
Comment	
<p>The DEIS does not adequately address the existing and candidate wild and/or scenic river segments in Los Padres National Forest, nor does it consider the pending development of Comprehensive River Management Plans for designated rivers. The latter process will require an evaluation of the indirect effect of oil and gas leasing on designated river segments. Since such activities must be evaluated on the basis of specific Outstandingly Remarkable Values (RVs), the analysis of watershed impacts in the DEIS is inadequate and premature as to the evaluation of effects on wild and/or scenic river segments.</p>	

9.8.9.5.2. Agency Response

Please refer to recreation sections of the DEIS and FEIS. In Alternatives 3, 4, 4a, 5, 5a, and the New Preferred Alternative all existing and candidate wild and/or scenic river segments are protected by a no surface occupancy stipulation which extends one quarter mile on both sides of the river. In Alternative 2, under BLM standard lease terms, proposed lessee operation can be relocated up to 200 meters to avoid impacts to existing and candidate wild and/or scenic river segments.

9.8.10. Social and Economic

9.8.10.1. Description of the Issues

Social and economic comments were received dealing with the cost benefit of any oil and gas leasing in terms of what would be gained for what was given up; the socioeconomic impacts and benefits in terms of jobs and revenues; and the transportation and traffic effects that could result. Each of these sub-categories is addressed below:

9.8.10.2. Cost Benefit

9.8.10.2.1. Representative comment(s)

Name	Organization
Jonathan R. Mueller	
Comment	
Oil development is not worth environmental costs	

Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Geologists estimate that potential reserves within Los Padres - at most - a five- to ten-day supply of oil for the nation. This drop in the bucket will do nothing to assuage US dependence on foreign oil. While we understand that your staff is bound by the 1987 Federal Onshore Oil and Gas Leasing Reform Act to identify and evaluate potential leasing options, we feel that the DEIS does not accurately portray either the California crude oil market, which has been in a depressed state since 1986 causing many onshore wells to be abandoned prematurely, or the enormous cost to California's people and wildlife that would come with the degradation of Los Padres National Forest by additional oil development.</p> <p>Because of the miniscule amount of oil available under the soil of Los Padres, large companies like Chevron have abandoned efforts in the Forest. Bluewater Network is concerned that smaller companies may not have available the safest, most efficient, cleanest technology available.</p> <p>The decision to consider new leasing in an area which houses a minute portion of recoverable fossil fuel resources yet provides critical habitat for at least twenty threatened and endangered species is misguided. It is driven by a short-sighted National Energy Policy that heavily favors extraction over environmental protection, and the consideration of new leasing in Los Padres National Forest exemplifies the Policy's disproportionate emphasis on symbolic access to new leasing rather than rational.</p>	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>We simply do not understand the benefit of opening up new, pristine areas of Santa Barbara County, such as the Figueroa Mountain Area, to oil and gas development while California is still experiencing depressed market conditions for in-state oil and gas producers. We understand your process is driven by federal legislation adopted in 1987, which your staff describes as a response to the oil crisis of the 1970s. However, today's market is considerably different. Low and unstable oil prices due to an oversupply of oil have characterized the California heavy crude oil market since 1986. These competitive market conditions have led many onshore wells to be abandoned prematurely or shut-in for prolonged periods - some for more than 15 years. Low oil prices have also diminished the pace and amount of offshore oil and gas development considerably, compared to pre-1986 projections. Many offshore leases have terminated without any development whatsoever and 36 of the 79 remaining leases have remained undeveloped even though they were issued several years ago, between 1968 and 1984. Actions to revive California's domestic upstream oil market have not been successful. For example, the federal government lifted the export ban on Alaska's North Slope crude oil, in part, to reduce supplies of Alaska oil delivered to California. However, this action has done little to revive California's domestic production due to continued low and unstable prices. More competitive foreign sources have filled the void, as shown in the attachment.</p> <p>We are, therefore, concerned that the DEIS renders a notably inaccurate picture of the California crude oil market, and in so doing, gravely misinforms the decision-making process. Actual market conditions do not support a finding that the benefits of opening new areas such as the Figueroa Mountain area to new oil and gas leasing outweigh the resulting adverse environmental effects.</p>	
Name	Organization
Supervisor Steve Bennett	Board of Supervisors County of Ventura
Comment	
<p>The Los Padres National Forest provides its maximum value to the people of this county and country by being left in its most undisturbed condition. The monetary value of oil and gas leasing does not begin to compare with the value of an untrammelled National Forest close to the homes of the 750,000 residents of Ventura County and the millions who live within visiting distance of the Forest. The value to native plant, animal, and fish species also outweighs the revenues to be gained temporarily from leasing. Ventura, Santa Barbara, and</p>	

<p>surrounding counties already provide a sufficient share of our nation's oil and gas resources without further disturbing the public lands of the National Forest.</p>	
Name	Organization
State Attorney General Bill Lockyer	CA Dept of Justice
Comment	
<p>Balanced against these serious risks is minimal benefit. Federal land managers have admitted that there does not appear to be a pressing demand by bidders for leases in the Los Padres and that the amount of oil estimated to be present by the Forest Service is minuscule, amounting to less than one percent of the oil and less than .06% of the natural gas thought to exist under federal lands nationwide.</p>	
Name	Organization
David H. Chipping, PhD	California Native Plant Society
Comment	
<p>While the cost of loss of scenic and recreational amenities is difficult to put in dollars and cents, the Forest should at least attempt to do a broad based cost-benefit evaluation of the effects of trading the scenery for several hundreds of years to the limited amount of highly viscous and hard-to-refine oil that would be recovered. Similarly, the added costs to patrol and police an expanded road system, the greater possibility of fire and litter, the loss of ecosystem integrity and other factors should enter the semi quantitative analysis of net gain and loss to society.</p>	
Name	Organization
Senator Jack O'Connell	California State Senate
Comment	
<p>Creating this appalling situation in the LPNF, which is a primary, scenic recreation area and wildlife habitat on the Central Coast. simply does not make good environmental or economic sense.</p>	
Name	Organization
Senator Wesley Chesbro	California State Senate
Comment	
<p>Drilling for oil in California and off the California coastline is unnecessary and I believe will prove more damaging than beneficial. The proposal to study the possible leasing of land in the Los Padres National Forest should not go forward. The amount of oil that may be available in the Los Padres National Forest is not sufficient to account for the damage drilling will do to the environment.</p>	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>The total reserves predicted by the DEIS amount to ten-day supply of energy for the country. If I were preparing a cost-benefit analysis for this proposal I would be hard pressed to recommend risking a community's natural heritage for such minimal amount.</p>	

Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>Recreation and scenic values of this forest far outweigh mineral values. The Forest Service's own estimates are that the Los Padres has but ten days' oil for the nation. New drilling would degrade wilderness, recreation, and scenic values worth far more to Californians and to all Americans.</p>	
Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
<p>The amount of oil and natural gas predicted beneath LPNF is insignificant from a national or even a state-wide perspective. The need for the small amount of oil and gas found in LPNF simply does not justify the very large impacts the project would have on recreation, water quality, air quality, wildlife, and the many other legitimate and important values of the forest.</p> <p>Developing these resources would have little effect upon the energy needs of state and nation. The need for the small amount of oil and gas found in LPNF simply does not justify the very large impacts the project would have on recreation, water quality, air quality and wildlife.</p>	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>It is shortsighted to open up areas of such high recreational value to oil and gas development, jeopardizing the ability of Californians to enjoy them in the future. The tradeoff is simply not worth it, given the minimal amount of energy reserves the Forest Service thinks are present.</p> <p>According to the Forest Service's own figures, the Los Padres National Forest contains less than one percent of the oil and "only" 0.06 of one percent of gas reserves thought to exist on all federal lands in the United States. Los Padres National Forest, "Oil & Gas Leasing Study and EIS/Frequently Asked Questions," (hereinafter "Frequently Asked Questions"). We understand that oil found in the LPNF is a low grade crude that cannot be profitably refined into gasoline and is often used in petroleum products like make up and paint. Even assuming this is not the case, NRDC energy experts have calculated that the potential oil and gas reserves within the Los Padres National Forest add up to only a ten-day supply for the nation and about a three month supply for the State. And, of course, because it would take years before even this tiny amount of energy could be made available to consumers, leasing these lands would do nothing to meet our current energy needs. In fact, NRDC experts have also concluded that, if California cars and light trucks had to meet 42 mpg fuel economy standards, we could save 1.6 times the estimated amount of oil here every single year - year after year. Lastly, still other asserted benefits of leasing and development appear to be based on inaccurate factual premises and consequently are unlikely to occur. For example, no refineries in California have been idled for lack of crude oil, and, as far as we have been able to determine, there is no excess capacity.</p> <p>The proposed leasing and subsequent development would jeopardize important and sensitive forest lands and their associated wildlife and recreational values for what is essentially a trivial amount of oil and gas, as the Forest Service itself has acknowledged. If the Administration were seriously concerned about energy independence, it would be promoting measures like increased CAFE standards, rather than drilling in the Los Padres. If it were not committed to expediting energy production at any cost even where there are virtually no energy benefits- the Forest Service would not be preparing this EIS in advance of forest-wide land use planning.</p>	

Name	Organization
Paul Gipe	Sierra Club Kern-Kaweah
Comment	
<p>The potential oil output is said to equal only 5 to 10 days of oil supply used in the Chapter United States. Weighed against the unavoidable damage that would be caused by this intrusion into some of the most beautiful wild lands still remaining in California supports our opinion that it would be a senseless decision to allow drilling. It would be a decision that would further erode the public trust in the government's handling of the peoples' public lands.</p>	
Name	Organization
Tim O'Keefe	Sierra Club Santa Lucia Chapter
Comment	
<p>As a practical, economic point the total potential oil and gas that might be recovered from the Forest is a "drop-in-the-bucket" of current national demand</p>	
Name	Organization
Rep. Lois Capps	U. S. House of Representatives
Comment	
<p>Providing for the health of our forest vastly outweighs the negligible benefits of pumping oil and gas in the Los Padres National Forest. This point is especially relevant when considering economic impacts.</p>	
Name	Organization
Daniel Kramer	CA Independent Petroleum Association
Comment	
<p>Natural gas and oil development must be acknowledged as having important social, environmental, and economic benefits at the federal, state and local level. These benefits are reduced or eliminated when natural gas and oil development is prohibited or severely restricted.</p>	

9.8.10.2.2. Agency Response

The comments regarding the high value held for the surface resources of the Forest and the low amounts of oil and gas projected in certain HOGPAs have been taken into consideration in determining which HOGPAs to lease or not lease in the New Preferred Alternative. The areas proposed for leasing are projected to produce more oil and gas than the other HOGPAs and have a history of successful oil and gas production.

The Forest Service minerals program policy states: "Exploration, development, and production of mineral and energy resources and reclamation of activities are part of the Forest Service ecosystem management responsibility. The Forest Service will administer its minerals program to provide commodities for current and future generations commensurate with the need to sustain the long term health and biological diversity of ecosystems." (USFS Minerals Management web page, last modified 11/01/04)

Although oil from Los Padres would supply only a small portion of the nation's needs, this activity is part of the Forest Service mission. The analysis shows that the New Preferred Alternative could offer a small portion of Los Padres' oil and gas potential with no or minimal effect on the environment.

9.8.10.3. Socioeconomics

9.8.10.3.1. Representative comment(s)

Name	Organization
Adrian Allen	
Comment	
Reduce need for foreign oil. Create jobs and bring revenue to San Luis Obispo	
Name	Organization
Irvin H. Collins	
Comment	
Drilling oil in LPNF promotes private profit over common good.	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>This section inappropriately ignores consideration of socioeconomics and growth in Kern County. Although no HOGPAs are located in Kern County per se, the South Cuyama HOGPA has a much more significant socioeconomic affect on Kern County than Santa Barbara County, given South Cuyama's proximity to housing, oil and gas workforce, and supporting industries located in Kern County. Please revise the DEIS to attribute more discussion to Kern County socioeconomics, rather than Santa Barbara County.</p> <p>The DEIS was issued in late 2001; however, the most current data used in this subsection 1995, is over six years old. Please update this section with relevant, current data, including use of 2000 census data.</p>	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>Recreation is not only a very important factor in the quality of life for those who live in and around the Los Padres, but it is also a critical component of the local economy. In Santa Barbara County, tourism is the number one income generator, surpassing agriculture a few years ago, The Los Padres is a large part of the tourist equation drawing hundreds of thousands of visitors each year. Additional oil and gas production would decrease the amount of visitors and therefore have a negative effect on the local economy.</p> <p>According to a report by The Wilderness Society (An Economic Boon: Protecting National Forest Roadless Areas in California, 2001) each acre of wilderness produces about \$15 worth of recreation per year. In addition, visitors generate \$44 per acre per year of spending in nearby communities. This translates into support for one job for every 550 acres of wilderness. In this region, the 140,000 acres defined as HOGPA could produce over \$8,000,000 per year and over 250 jobs if protected as wilderness. Another important note is that tourism is a far more sustainable industry than oil and gas production. It also closely parallels the community's desires for less pollution, clean air and water, safe and healthy places to recreate, and a more equitable distribution of income. Oil and gas benefit only a few in the form of large short-term profits while the community must endure the long-term environmental impacts.</p>	

Name	Organization
FORM LETTER 12	
Comment	
The income generated by forest visitors drawn to these features is an important part of the local economy, and is far more sustainable than extractive industry.	
Name	Organization
Daniel Kramer	CA Independent Petroleum Association
Comment	
Natural gas and oil development improves Americans' standard of living by ensuring an adequate supply of clean and affordable energy. Both consumers and businesses have recently realized the devastating impacts of energy shortages. As a country, our economics and national interests are well served by domestic natural gas and oil development on government lands.	

9.8.10.3.2. Agency Response

<p>We agree that the economic impacts from the South Cuyama HOGPA are more likely to be felt in Kern County than Santa Barbara County. We also acknowledge that the economic data utilized is dated. The consultant interdisciplinary team economist has reviewed the 2000 census data. It is his opinion that the changes in the data would only result in projecting impacts that were determined to be insignificant with the older data to be even more insignificant with updated data because:</p> <ul style="list-style-type: none"> • The results of the input output modeling indicated that the economic impacts of oil and gas development even under the most intense alternative 2 scenario are insignificant. • All other action alternatives, especially the New Preferred Alternative result in considerably less oil and gas development than alternative 2 and thus even less economic impact. • The change in the census data indicates an increase in population and economic activity in all Counties resulting in a larger economic market to absorb the already insignificant impacts. <p>The economic benefit of recreation and tourism is significant. Alternatives 3, 4, 4a, 5, 5a, and the New Preferred Alternative either eliminate or mitigate recreation and tourism impacts and are not expected to have negative economic impacts on recreation or tourism. Furthermore, the New Preferred Alternative makes available only 52,000 acres of the 140,000 acres in HOGPAs; 48,000 acres would be leased under the NSO stipulation. Less than 3% of the 140,000 with high oil and gas potential is actually subject to development on the ground.</p>
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9.8.10.4. *Transportation*

9.8.10.4.1. Representative comment(s)

Name	Organization
Supervisor Gail Marshall	County of Santa Barbara Board of Supervisors
Comment	
1) The potential mixing of recreational and oil & gas related tanker truck traffic in the regions described in the DEIS is an issue that is not desirable from a traffic engineering/transportation planning standpoint. This point should be further elaborated upon in the DEIS to better inform the decision-making process. Additionally, if specific sites are to be pursued in terms of development, a more detailed analysis should be prepared to account	

for specific conditions, in addition to mitigation measures for each.

2) The traffic index (TI) of many of these roads (i.e. Happy Mountain Road, Tepusquet Road, etc.) may not be able to handle the types of vehicles associated with these types of heavy tanker and other vehicles. This constraint would be an issue that would require that our department's review and comment accordingly if any of these sites were to be considered for development.

3) The width of the roads discussed in the document are typically sub-standard, and would need to have significant improvements made to them to be able to accommodate the mix of recreational and oil & gas related traffic.

Please note that the impacts of any road widening necessary for construction, production and maintenance of the Project should be analyzed in the EIS. In particular, this analysis should assess the loss of habitat, impacts to sensitive species, slope stability, erosion, introduction of hazardous materials, increased runoff of toxic materials (oil and fuel) into soil and waterways, noise, and loss of aesthetics/visual resources associated with the use of Figueroa Mountain Road by large trucks. This road is narrow, winding and for many sections has canopies of mature native trees which could be degraded or altered as a result of large truck traffic.

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The DEIS must fully consider the impacts of roads construction and use including among other things, increased erosion of extremely sensitive soils, increased vehicular emissions, wildlife habitat fragmentation, introduction of exotic and invasive plant species, noise pollution that will disturb both wildlife and the recreating public, slope stability, alteration of natural runoff, and soil compaction hindering reclamation.</p>	
Name	Organization
Tim O'Keefe	Sierra Club Santa Lucia Chapter
Comment	
<p>Clearly the "temporary" roads required for drilling test wells will be an open invitation for illegal ORV use. Such illegal ORV use will further increase soil loss, loss of T & E species of plants and animals, and reduce scenic and recreation values.</p> <p>There is, at present, an over abundance of illegal ORV use on many parts of the Forest, so additional illegal Forest use is intolerable.</p>	
Name	Organization
Christopher Stevens	Ventura County Resource Management Agency
Comment	
<p>The Transportation Department has reviewed the Draft Environmental Impact Statement for the above project. The proposed project is for oil and gas leasing program within Los Padres National Forest including much of the forest within Montgomery, San Luis Obispo, Santa Barbara, Ventura and Kern Counties. We offer the following comments:</p> <p>1) The Draft Environmental Impact Statement indicated that this project would generate additional traffic.</p> <p>2) Page 4-102 discusses the unresolved problems on Ventura County roads regarding the use of heavy trucks on county roads. The DEIR should discuss in detail the mitigation measures of these impacts and how they will be implemented.</p> <p>3) A traffic study is required to address the following issues:</p>	

Trip generation/distribution on Ventura County Road Network

Safety issues relating to truck operations on Highway 33

Exact routing of trips and hours of trucking

Level of Service impact of Highway 33 north of Casitas Springs area

The need for improving and maintaining Lockwood Valley Road.

4) The cumulative impact of this project when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant. To address the cumulative impacts of this project on the Regional Road Network, the project proponent must submit a traffic analysis in sufficient detail that shows the increase in average daily traffic (ADT) on the County's Regional Road Network attributable to this project. The Transportation Department can then calculate the Traffic Impact Mitigation Fee (TIMF) amount (if any) due the County.

As an alternative to the above traffic analysis, we could accept the TIMF, which is based on the current County Traffic Impact Mitigation Fee Ordinance (#4246) and the amount of traffic generated by the project. The TIMF owed to the County would be \$ 45.61/ADT generated by the project.

5) Our review is limited to the impacts this project may have on the County's Regional Road Network.

9.8.10.4.2. Agency Response

The amount of reasonably foreseeable roads has been projected for each alternative and their impacts evaluated. Erosion, slope stability, runoff alteration and soils impacts are addressed in the watershed sections of chapters 3 and 4 of the DEIS and FEIS. Also see the response to comments regarding noise in section 9.8.5.4; air in section 9.8.12.2; wildlife habitat fragmentation in section 9.8.13.3; recreation in section 9.8.9; and invasive plants in section 9.8.11.3.

Off road vehicular activity is managed under the Forest Off-Highway Vehicle Plan. Unless roads are open to the public, locked gates will control access to temporary roads needed for lessee activities. When no longer needed temporary roads are obliterated and reclaimed as required by BMP 2.26 (Appendix E) for all alternatives.

As stated in section 4.5.4 of the FEIS, the following information notice will be added to any new lease under all alternatives to address the potential impact to county roads:

As a condition of approval of any APD or SUPO, the lessee shall submit a traffic analysis to LPNF and to the county or counties where activities are planned. The lessee will submit a traffic analysis in sufficient detail to show the increase in average daily traffic (ADT) on the County's Regional Road Network attributable to the project. The county can then calculate the Traffic Impact Mitigation Fee (TIMF) amount (if any) which is due to the county.

9.8.11. Vegetation

9.8.11.1. *Description of the Issues*

Vegetation issue sub-categories are: Non-native Invasive Plants, Oaks, and Use of Native Plants.

9.8.11.2. *Non Native Invasive Plants*

9.8.11.2.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The DEIS fails to fully disclose the impacts of non-native plant species and the role of oil and gas exploration and development in the spread of these invasive species. The DEIS neglected to adequately and fully disclose the impacts of oil and gas operations on the spread of non-native species. The document only states that indirect impacts of exploratory drilling and development would affect "introduction or spread of non-native plants during construction and reclamation activities" (DEIS 4-58). In fact, a review of the past Conditions of Approval for 70 current wells indicates that the operators were mandated to reseed disturbed sites using non-native grass species such as Smilo grass (<i>Oryzopsis miliacea</i>), Wimmera ryegrass (<i>Lolium rigidum</i>), and Harding grass (<i>Phalaris aquatica</i>). Harding grass is identified in the CalFlora database as an Invasive Weed. Invasive grasses have severely degraded native ecosystems in California and altered species composition and fire regimes. Major vegetative types that are available for oil and gas exploration in this DEIS are Oak Woodlands (66%), Pinyon-Juniper Woodlands, and Sagebrush (67%), which includes Coastal Sage Scrub (Table 3-24, p. 61).</p> <p>Coastal sage scrub is defined in the DEIS as a subset of the sagebrush vegetation type within 2 miles of the coastline. Coastal sage scrub is generally shallower-rooted, lower in stature, and more open in structure than chaparral, which allows for a greater number of herbaceous annual and perennial species than are able to persist in dense stands of mature chaparral. Thus, coastal sage scrub is sensitive to increases in fire frequency. The invasion of red brome and other non-native Mediterranean grasses has increased frequency of fire in coastal sage scrub, often leading to type conversion to grassland (Minnich and Dezzani 1998). Regeneration of native shrubs and forbs in coastal sage scrub is often slow, particularly where invasive weeds, fires, and other disturbances are high (Stylinski and Allen 1999, Allen et al. 2000). While the DEIS did disclose that engine emissions from vehicles, generators, pumps, and other internal combustion engines release toxic gasses into the air (DEIS 4-56), the analysis failed to state that weed productivity and invasion is also promoted by nitrogen deposition from vehicular exhaust (Allen et al. 1998, Allen et al. 2000).</p>	

9.8.11.2.2. Agency Response

Please see revised FEIS sections 3.2.4.4 and 4.4.5 regarding noxious weeds. Only native plant seed mixes are currently utilized for revegetation. Coastal Sage Scrub is not impacted in the New Preferred Alternative.

9.8.11.3. Oaks

9.8.11.3.1. Representative comment(s)

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The DEIS fails to disclose the impacts of oil and gas exploration on highly sensitive oak woodlands and oak forests.</p> <p>Historically, oak savanna woodlands in California may have had a ground layer of native wildflowers and/or perennial bunchgrasses. The current ground layer of introduced Mediterranean annual grasses may be interfering with oak sapling recruitment. In oak woodlands, the water table is not generally accessible to the trees throughout the year, so competition for surface water from fast-growing grasses may decrease the ability of seedlings to grow.</p> <p>The DEIS fails to disclose the dire situation of oak woodlands and oak forests in California, and to specifically identify the sensitive oak woodlands vegetative alliances. Sixty-six percent of the oak woodlands and 16 percent of the oak forests within the Los Padres National Forest are in the areas being considered for oil and gas exploration and development (Table 3-24, p. 61). Oak woodlands consist mainly of blue oak and valley oak-interior live oak, and oak forests include tanoak-madrone, coast live oak, mixed evergreen, and black oak-canyon live oak (Table 3-24, p. 3-61).</p> <p>Blue and valley oaks have experienced serious lack of regeneration over the past century (Borchert et al. 1989, Borchert et al. 1993, Standiford et al. 1997, Swiecki et al. 1997). The California Department of Fish and Game considers virtually every valley oak community threatened and of high conservation priority (Davis 1999). Throughout Santa Barbara County, for example, valley oak savanna and woodland is estimated to have declined from 62,000 acres in the 1700's to approximately 10,000 acres today (Davis 1999). As mentioned above, the current ground layer of introduced</p> <p>Mediterranean annual grasses may be interfering with oak sapling recruitment by competing with seedlings for surface water. Root damage is another potential threat to oak woodlands. California's native oaks have developed adaptations to survive the long, dry summers. When an acorn first sprouts, rapid root development occurs to reach moisture deep underground, with little growth occurring above the ground. An extensive lateral root system then spreads out well beyond the trunk as the tree matures. Soil compaction, trenching for underground utilities, and other activities associated with oil and gas exploration and development near the roots impede water absorption and damage roots. Also, oak trees are pollinated by wind, and the density of pollen grains declines with increasing distance from the source. Therefore, habitat fragmentation and isolation of individual oak trees can decrease pollen availability and reduce acorn production, as has been shown in blue oaks (Knapp et al. 2002).</p> <p>It is also a critical area for Valley and Blue Oak woodlands, which are experiencing a severe lack of regeneration. The survival of these species may be dependent upon keeping the LPNF in its relatively undisturbed condition, which would be difficult were it to be leased and developed.</p> <p>Finally, oak forests in north-central coastal California have been falling victim to sudden oak death syndrome (SODS), a disease caused by a previously unknown species of Phytophthora, a fungus-like organism that has killed large numbers of oaks (coast live oak and black oak) and tanoaks. Two incidences of SODS have occurred in Monterey County (Švihra et al. 2001). The DEIS completely fails to disclose this potential threat in the areas considered for leasing.</p>	

Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
Oak woodlands have declined more than 90% in California and 66% of the oak woodland habitat found in the LPNF is now identified as HOGP A in the DEIS.	
Name	Organization
W. Barad	Sierra Club Loma Prieta Chapter
Comment	
66% of oak woodlands within LPNF are also threatened as well as their unique California ecosystem, already weakened by livestock grazing, logging, and disease.	

9.8.11.3.2. Agency Response

The FEIS does discuss the impact of leasing on vegetation types, including oak forests and oak woodland. Sixteen percent of the oak forest and 66 percent of oak woodland habitats are available for leasing under one or more of the alternatives considered. However, the New Preferred Alternative projects the disturbance of only 0.6 acres of oak forest and woodland in the Sespe and San Cayetano HOGPAs. (Ref: Table 4-32.)

9.8.11.4. *Use of Native Plants*

Name	Organization
Esteban Solis	CA Native Plant Society Channel Islands Chapter
Comment	
Any access, or development within these areas if granted, should not only conform to BLM and Forest Plan Update minimum requirements for protection, preservation and restoration of biological resources or for impact mitigation, they should also include the following stipulations with respect to native plants.	
“Plants indigenous to the general project area should be used in any landscaping, construction or areas otherwise prone to access. Finally, where aggressive exotics could threaten native flora, especially within areas mentioned above, exotics should be removed.”	

9.8.11.4.1. Agency Response

Please refer to Appendix C page C-33 regarding revegetation as part of reclamation and the use of native species. This is a requirement under BLM standard lease terms for all action alternatives.

9.8.12. Water and Air

9.8.12.1. *Description of the Issues*

The water and air issue sub-categories are: Air Quality, Erosion, Ground Water, Surface Water.

9.8.12.2. Air Quality

9.8.12.2.1. Representative comment(s)

(Editor's Note: Many of the air quality comments are very technical in nature and are not included in their entirety.)

Name	Organization
Karin Koch	
Comment	
<p>Representative comments from Karin Koch's letter:</p> <p>Comment 4- Page 4-9, Section 4.3.2.2.2 Significance Criteria for Impact 2 Text states that "any emission source subject to new source review is assumed to cause no exceedance or measurable increase of an existing exceedance of any standard." This is a poor assumption because an emission source subject to new source review (NSR) is not in compliance with NSR, nor does an emission source subject to NSR necessarily preclude the emission source from causing an exceedance or measurable increase of an existing exceedance of any standard. Please explain the basis for this poor assumption.</p> <p>Comment 17- Page 4-28, Table 4-6 Since both state and federal ambient air quality standards exist for NOx, NOx modeling to determine NOx concentrations should be conducted for all alternatives. Please include this information in Table 4-6.</p>	
Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Drilling operations produce significant air emissions, including exhaust from diesel engines and turbines that power the drilling equipment. Pollutants from these sources are those traditionally associated with combustion sources, including nitrogen oxides, particulates, ozone, and carbon monoxide. Each new well brings drilling rigs, gas compressors, generators, surface-disturbance machinery - such as earth moving machines - and vehicular traffic. Drilling operations generate hazardous air pollutants including: nitrogen oxide (NOx); carbon monoxide (CO); sulfur dioxide (SO2); particulates (total suspended particulates (TSPs) and particulate matter with a diameter of 10 microns or less (PM10)); and, volatile organic compounds (VOCs), which will have cumulative effects on air quality.</p>	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>Table 4-6 does not provide sufficient information to distinguish one alternative from another. Rather, it has the reverse affect - its over-simplification suggests no substantial difference in alternative, including the no leasing option. Please revise to include more details, including amount of estimated emissions, as provided in previous tables of this section so that this table, which concludes the section with a comparison of alternatives, provides adequate information.</p>	

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>According to the DEIS, all Counties containing portions of the LPNF currently have a "non attainment" designation for the California state ozone standard. Santa Barbara and Ventura Counties are nonattainment for the national ozone standard, and all of the Counties are nonattainment for the state PM10 standard. Despite the proposed mitigation measures, activities associated with further oil and gas exploration, development and continued operations will exacerbate the current nonattainment conditions and therefore should not be allowed until the existing conditions are improved to a point where the additional emissions from the proposed action would not result in nonattainment.</p> <p>These nonattainment designations are also inconsistent with the Los Padres Forest Plan which requires compliance with the state's air quality guidelines. The DEIS fails to address this inconsistency in the discussion of each alternative's additional impacts on air quality.</p>	
Name	Organization
Enrique Manzanilla	Environmental Protection Agency
Comment	
<p>EPA commends the Forest Service for coordinating with the Air Pollution Control Districts (APCD) on air quality issues, as the APCDs will oversee the New Source Review for activities proposed on individual leases. However, EPA objects to this lease proposal on the grounds that both Preferred Alternatives 5 and 5(a) are expected to result in significant short-term, and potentially long-term, ozone impacts in Ventura and Santa Barbara Counties, even with mitigation (p. 4-22). The Santa Barbara APCD is in serious non attainment for the national ozone standard, and the Ventura APCD is in severe nonattainment for the national ozone standard. In addition, both APCDs are in non attainment for the State standards for ozone and particulate matter greater than 10 microns in diameter (PM10).</p> <p>EPA has objections because the projected short-term project emissions for nitrogen oxide (NOx)' an ozone precursor, and PM10, are several orders of magnitude greater than the established air quality significance criterion. For example, the significance criterion for NOx is 25 lb/day, and the short-term projected emissions from motor vehicles in Santa Barbara County APCD is 3,805 lb/day, 152 times the established significance criterion. Similarly, the significance criterion for PM10 is 80 lb/day and the projected short-term emissions are 6,220 lb/day, 78 times the established significance criterion (p. 4-20). These air quality impacts should be avoided, minimized, or mitigated to provide adequate protection for human health and the environment. Therefore, EPA strongly recommends that the final selected alternative include lease stipulations designed to reduce air emissions below the applicable significance criteria.</p> <p>Recommendations:</p> <p>Specify Emission Sources</p> <p>In the project emissions tables, such as Table 4-4, further specify the emission sources by pollutant. The tables in the DEIS differentiate between emissions from "motor vehicles only," "all project sources," and "on-site sources only." These tables should be revised to specifically identify emissions by pollutant from mobile sources, stationary sources, and ground disturbance. This source specific information should then be used to identify appropriate mitigation measures and areas in need of the greatest attention.</p> <p>Best Available Control Technology</p> <p>The DEIS includes "Construction Mitigation" and "Mitigation for All Project Phases" for air quality (p. 4-10,11). However, these mitigation measures are only "recommended.". Given the severity of the air quality impacts of this proposal, EPA strongly recommends requiring, where appropriate and feasible, these mitigation measures and including them in the lease stipulations cited above.</p>	

Equipment Emissions Mitigation Plan

EPA recommends the development of an Equipment Emissions Mitigation Plan to reduce diesel particulate, carbon monoxide, hydrocarbons, and NOx associated with construction and drilling activities. The Equipment Emissions Mitigation Plan should apply to all lands authorized for lease and should require that all drilling/construction related engines are tuned to the engine manufacturer's specifications in accordance with an appropriate time frame; do not idle for more than five minutes (unless in the case of certain driving engines it is necessary for the operating scope); are not tampered with in order to increase engine horsepower; include particulate traps, oxidation catalysts and other suitable control devices on all drilling/construction equipment used at the project site; and use diesel fuel having a sulfur content of 15 parts per million or less, or other suitable alternative diesel fuel, unless such fuel cannot be reasonably procured in the market area. The determination of which equipment is suitable for control devices should be made by an independent Licensed Mechanical Engineer based on whether the fuel is reducing normal availability of the equipment due to increased downtime and/or power output or whether the fuel is causing or is expected to cause significant damage to the equipment engine. Equipment suitable for control devices may include drilling equipment, work over and service rigs, mud pumps, generators, compressors, graders, bulldozers, and dump trucks.

Further, EPA strongly recommends modifying all lease stipulations to require Best Available Control Technology (BACT) to reduce air emissions.

Facilities Development

EPA also recommends that the Forest Service encourage, and require where appropriate, lessees to share facilities and equipment wherever possible. Sharing facilities between lessees will minimize the amount of construction and traffic, and, thereby, air emissions. Develop a plan to phase lease development, especially during the smog season (May-November).

Conformity

The DEIS states that because specific project-level emissions cannot be predicted at this time, a conformity determination is not possible and that such a determination will be made when site-specific activities are proposed (p.3-16). The DEIS does, however, present data predicting severe air emission exceedences of established significance criteria. EPA strongly recommends that the Forest Service use best professional judgment to determine whether the proposal, as a whole, is likely to contribute to any new violation of the National Ambient Air Quality Standards, increases the frequency or severity of an existing violation, or delays the timely attainment of a standard.

Cumulative Impacts - Air Quality

The DEIS acknowledges that further NEPA documentation will be required for ground disturbing activities associated with this lease proposal. Given the severity of the direct air quality impacts projected from these activities, cumulative impacts to air quality will need to be carefully analyzed. EPA strongly recommends that the lease stipulations acknowledge that any proposed activity is subject to NEPA and, specifically, that an air quality cumulative impacts analysis is required for all proposed activities.

Name	Organization
Janet Brennan	Monterey Bay Unified Air Pollution Control Dist.
Comment	
Cumulative Impacts, The District uses consistency with the AQMP to address a project's cumulative impact on air quality. (CEQA Air quality Guidelines, MBUAPCD, September 2000).	
Page 4-7, Table 4-1, The thresholds of significance which were amended in 2000 follow and apply to both project sources and onsite sources: VOC and NOX - 137 lb/day; PM10 - 82 lb/day; Sox - 150 lb/day; CO direct sources - 550 lb/day.	
Page 3-14 Table 3-4; The NCCAB is a maintenance area for the federal ozone standard. The differentiation	

from an attainment area is important for General	
Name	Organization
Christopher Stevens	Ventura County Resource Management Agency
Comment	
<p>Air Pollution Control District staff has reviewed the subject DEIS and offers the following comments and recommendations.</p> <p>1) The DEIS should address the potential of each of the alternatives to adversely impact atmospheric visibility in nearby wilderness areas.</p> <p>2) Documentation for the air emissions estimates should be provided in a technical appendix. District staff was not able to determine what factors and assumptions were used to estimate project-related emissions and therefore was not able to confirm the air emission estimates and associated impact conclusions.</p> <p>3) Table 4-7, Summary of Direct Air Quality Impacts After Project Buildout (without mitigation), page 4-29</p> <p>District staff does not concur with the conclusion for Ventura County. Under Alternative 2, Emphasize Oil and Gas Development, that only RUC emissions will be significant. On a cumulative basis, service and maintenance vehicles, equipment, and operations could produce substantial quantities of NOx and particulate emissions,</p> <p>4) Section 4.3.2.3.1, Construction Mitigation, page 4-10 District staff recommends the additional fugitive dust mitigation measures.</p>	

9.8.12.2.2. Agency Response

<p>All air comments were examined carefully and responses were incorporated into the FEIS where appropriate. Please also refer to new air quality information notice in section 2.3.4.1.6.6.</p> <p>We concur with EPA that the analysis indicates air quality impacts associated with this project could be significant. However, it should be noted that estimated project emissions represent a development scenario that assumes peak emissions from all prospect areas would occur on the same day (Sec.4.3.2.6.1). This assumption results in a “worst case” statement of the maximum impact on the air at any point in time. Any development which occurs would likely be staged over a much longer period of time, probably years.</p> <p>For Ventura County, our analysis for Alternative 2 indicates that short-term NOx emissions during maximum development activity would exceed the significance threshold of 25 lbs/day but that long-term NOx emissions would fall below this criterion.</p> <p>We expect that the Air Pollution Control Districts will exercise their authority to condition the required Air Pollution Permits to mitigate and minimize impacts through a variety of techniques including timing clauses as well as requirements for various levels of control technology.</p> <p>If leases are offered and purchased and project-specific development proposals are prepared, the Forest Service and the authorizing Air Pollution Control District will evaluate source-specific mitigation measures and require that the most effective mitigation measures be used. Specific site and equipment mitigation plans will be prepared and approved prior to implementation; Best Available Control Technology (BACT) will be sought in all cases.</p> <p>Air Quality Conformity Determinations will be completed at the SUPO/APD stage of the process along with the NEPA analysis required at that time.</p> <p>In this part of California each county found to be in non-attainment for a federal air quality standard prepares</p>

its own portion of the State Implementation Plan (SIP). The SIP is multiyear plan that describes how and when the county will reach attainment for each pollutant. The individual SIPs are approved by USEPA. All approved SIPs maintain the county's economic viability while decreasing concentrations of the non-attainment pollutants. Site-specific emission increases are allowed under an approved SIP both spatially and temporally. Increased emissions could occur in one part of the planning area while reductions occur in another. Increased emissions could also be planned for a year when they have been offset by previous year's reductions. In this manner a site specific increase in emissions of non-attainment pollutants could occur as long as the overall trend in emissions is toward attainment of the national standards. In this way changes in emissions are provided for within the state's air quality guidelines. The actual "on the ground" implementation of the selected alternative will require specific air quality permits and authorizations issued by the state and county air pollution control authorities and a determination of conformity with the federally approved SIP prepared by the federal agencies. Therefore, we feel that there are no inconsistencies between the Forest Plan and the State air quality guidelines that require discussion in the alternative sections of the document.

Project level NEPA analysis will address air quality impacts on Class I and Class II areas in much greater detail than we are able to achieve at this leasing level of analysis. We will use the assumptions made in this EIS in specific project analysis. Project level analysis will address all the criteria pollutants attributable to the project.

We believe that the new source review process effectively protects ambient air quality.

The text has been changed to clarify the matter of consistency determination.

We agree that impacts are in fact avoidable if the NO_x and ROC emissions are completely offset; however, the local APCDs are responsible for offset requirements and enforcement.

Ambient air quality standards are listed in Table 3-2.

The intent is to require watering, or the use of other means of suppressing dust, as needed to prevent excessive amounts of dust. See revised text.

Mobile source and drill rig emissions are subject to a consistency determination except in Ventura County.

"Other pollutants" do not include ROC and NO_x. It is expected that most of the produced oil and gas will be transported by pipeline. A quantitative analysis of the emissions from the small amount of truck traffic (Table 4-40) that would result from transporting oil from the extraction point to the refinery or other delivery location would not be meaningful.

Appendix C of the EIS explains the reclamation that is required after all activities are completed and operations abandoned. After reclamation is completed air quality would no longer be affected.

The text has been clarified. It now states that mitigation would be required if project level analysis identifies the potential for off-site odors.

"Short term" and "long term" are defined in Section 4.3.2.12, "Summary of Air Quality Impacts."

The document states that watering should be done "at least twice daily." The intent is to require watering, or the use of other means of suppressing dust, as needed to prevent excessive amounts of dust.

9.8.12.3. Erosion

9.8.12.3.1. Representative comment(s)

Name	Organization
Katy Rexford	Bluewater Network
Comment	
The introduction of drilling operations causes increased soil erosion, mixing of soil horizons, contamination of soil from various pollutants (including petroleum fuels and other chemicals used in the drilling process), loss of topsoil, and increased sedimentation in streams from runoff.	
Name	Organization
Tim O’Keefe	Sierra Club Santa Lucia Chapter
Comment	
Continued and/or additional oil and gas exploration in the Forest can lead to accelerated soil erosion, especially on some of the steep and sensitive soils where soil siltation into Forest creeks will exceed the TMDL limits, which could be expensive and very difficult to remove.	

9.8.12.3.2. Agency Response

Please refer to the watershed sections of chapters 3 and 4, of the FEIS, and Appendix E Best Management Practices. A complete cumulative watershed analysis was conducted, which included the potential for erosion.

9.8.12.4. Groundwater

9.8.12.4.1. Representative comment(s)

Name	Organization
Edward McGowan	
Comment	
Wells may affect the surrounding by dewatering the area. If water is drawn below root depth then the surrounding habitat will suffer.	
Name	Organization
Katy Rexford	Bluewater Network
Comment	
Enormous amounts of water are both used and produced for various purposes during the drilling process. Often this water is pumped in and out of nearby underground aquifers in enormous volumes, and scientists are now discovering that such rapid and unnatural changes in aquifer levels and ground stabilization may contribute to increase risk of earthquakes.	

Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The DEIS does not adequately address the impacts to groundwater. Water pollution, aquifer contamination, aquifer depletion, among others, are all serious issues that must be fully considered in this EIS.</p>	

9.8.12.4.2. Agency Response

<p>The analysis adequately addresses impacts to groundwater. Please refer to the expanded watershed sections 3.1.2 and 4.3.3, in the FEIS, and Appendix E regarding the application of Best Management Practices (BMPs).</p>
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9.8.12.5. *Surface Water*

9.8.12.5.1. Representative comment(s)

Name	Organization
Tom Luster	CA Coastal Commission
Comment	
<p>Section 3.1.2.4.3 describes the LPNF lands as the source of surface water for 37 reservoirs used for municipal and agricultural water supplies. It also states that while surface water in LPNF generally meets water quality standards, sedimentation is considered a major water quality problem affecting water storage in those reservoirs as well as fish and wildlife habitat.</p> <p>Chapter 4 in the DEIS (Environmental Consequences) then goes on to state that environmental values associated with these surface waters and riparian areas are likely to be adversely affected by an increase in leasing activities. This analysis, however, does not appear to identify all feasible measures to avoid or minimize these adverse effects, and does not adequately describe what requirements would be imposed on particular activities to ensure adverse effects are avoided or minimized. This is particularly important given that the DEIS describes the surface waters in LPNF as providing significant fish and wildlife habitat and serving as a significant source of municipal and agricultural water supplies for the surrounding areas. Even if these surface waters are currently degraded to some extent, they are still providing important beneficial uses and apparently have the potential for improvements. Given that the surface water and riparian areas are a relatively small portion of the LPNF land base, and are not necessarily related to the location of oil and gas reserves, it appears the DEIS could evaluate additional measures that would provide further avoidance or minimization of impacts.</p> <p>We recommend that where applicable, the additional avoidance and minimization measures you identify for any of the environmental consequences of the proposed action be related to specific regulatory requirements, and most particularly to specific Coastal Act policies. Continuing the use of the above examples, measures related to water quality, riparian habitat, and sedimentation should be tied specifically to California's Non-point Source Pollution Control Program (January 2000, State Water Resource Control Board and California Coastal Commission), which has been incorporated into the state's CCMP.</p>	
Name	Organization
Geoff Hickcox	Center for Biological
Comment	
<p>The DEIS does not adequately address the water quality impacts associated with oil and gas leasing on the LPNF, including but not limited to, increased sedimentation, temperature modification, safe drinking water, and wild and scenic river characteristics. In particular the CBD is concerned that the DEIS does not fully</p>	

consider the potential impacts to the Sespe Wild and Scenic river corridor.

The DEIS does not adequately discuss the impacts associated with the disposal of produced water. Soil erosion, impacts from discharge into waters of the United States, residual saline rich surface deposits, aquifer contamination are just a few of the potential impacts associated with the disposal of produced water. Please provide a more thorough examination of these impacts.

9.8.12.5.2. Agency Response

Please refer to the watershed sections 3.1.2 and 4.3.3, of the DEIS and FEIS, and Appendix E - Best Management Practices for a discussion of potential impacts to surface water and measures that will be taken to protect water quality.

The FEIS presents an expanded discussion and analysis of water quality impacts. Potential impacts to existing and candidate wild and scenic rivers are covered in the recreation sections. Also refer to the response to comments for wild and scenic rivers under recreation below.

9.8.13. Wildlife

9.8.13.1. *Description of the Issues*

Wildlife Issue sub-categories are: California Condor; Corridors/Fragmentation; Fisheries; and Threatened, Endangered, and Sensitive Species.

9.8.13.2. *California Condor*

9.8.13.2.1. Representative comment(s)

Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>Of special note is the California Condor, a species that has been the recipient of extensive study and effort to prevent its extinction. To date millions of dollars have been spent on its recovery effort and after years of work the effort is meeting with success. Only four condor eggs have ever been laid in the wild, three of these were found within the Fox Mountain Roadless area, an area also considered as a HOGPA.</p> <p>Recently, one of these eggs hatched. To say this is an historic event would be a great understatement. Its parents are currently raising the chick and its survival ability is increasing daily. However, any increased disturbance, especially the heavy machinery needed for oil and gas exploration and production, could negatively affect this chick and the recovery effort for the Condor.</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>We feel that any expansion of oil operations in condor habitat is unwise. Condors are struggling to recover from the brink of extinction - only about 35 exist in the wild in California. Wild condors have been killed by</p>	

<p>collisions with power lines and by drinking antifreeze in existing developed areas. The entire Los Padres National Forest is condor habitat - we believe it would be extremely counterproductive to the species recovery effort to expand the industrialization of this forest with new drill rigs, pipelines, power lines, oil spills, road building, and other disturbances.</p>	
Name	Organization
Melinda Wald	Defenders of Wildlife
Comment	
<p>Concerned about leasing South Cuyama HOGPA due to proximity to Lion Canyon release site in the Condor Recovery Program and impacts to Condors. Oil & gas leasing is antithetical to species recovery, and is especially damaging to the California condor recovery program. The recovery program is at a critical juncture, with many wild condors just reaching sexual maturity. Any action that could disturb condors now could undermine the entire recovery program.</p>	
Name	Organization
Jeff McMillan	Isla Vista Chapter Surfrider Foundation
Comment	
<p>This forest is a critical habitat for the California condor. Drilling threatens this area for this rare endangered bird.</p>	
Name	Organization
Keith Hammond	California Wilderness Coalition
Comment	
<p>Drilling in the Fox Mountain potential wilderness unit is especially unwise given the high level of condor activity in this roadless area. In 2001 California condors laid two eggs -the first in the wild since 1984 - at a nesting site within the Fox Mountain roadless area, in the vicinity of Lion Canyon. These two eggs represent half of all the known wild-laid eggs in California since 1984. Additionally, the California Condor Recovery Program operates a condor release site in Lion Canyon. We are concerned that any drilling activity in the South Cuyama HOOP A will introduce new disturbances and adverse impacts to condors in this wild area. The current surrounding oil and gas operations have already negatively impacted the condor program in the past, and any further activities nearer to the release site would only exacerbate these problems. The Lion Canyon release site has greatly benefited from its remoteness from human intrusions. Any increase in intensive activities such as oil and gas exploration or production in the canyons or ridges of the area will adversely effect this remoteness that the program has largely benefited from thus far.</p>	
Name	Organization
Paul Gipe	Sierra Club Kern-Kaweah Chapter
Comment	
<p>Los Padres is the home of the Condors. One of the most spectacular and well-supported efforts to restore endangered species in the wild, the Condor program has begun to achieve one of its major goals: to have Condors in the wild build nests, lay eggs and hatch out young. The range of the Condor extends over all of Los Padres and everything possible should be done to protect this wild habitat. Oil and gas drilling definitely are not a part of the picture of a healthy habitat for those majestic birds</p>	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The endangered California condor has laid only four eggs in the wild since its reintroduction in 1992. Two of these eggs were laid in the Fox Mountain East roadless area of the Los Padres National Forest (proposed for</p>	

wilderness designation), just last year. A third egg was laid this year, south of the LPNF, near the Hopper Mtn NWR. Just this past week the first baby condor to be hatched in the wild in 18 years was hatched in the LPNF in close proximity to areas the Forest Service is considering making available for oil and gas leasing.

The DEIS must fully consider the potential impacts of overhead power lines on wildlife, particularly the California condor and other bird species. Potential threats include among others, electrocution, mortality or injury as a result of collisions with wires, and reduced amount of wildlife habitat or habitat fragmentation due to species' learned avoidance of power line locations.

The existing Los Padres Forest Plan states that any projects that will impact, in particular, endangered condor habitat must undergo Section 7 consultation "prior to approval." At a time when the LPNF should be celebrating its participation in the promising condor recovery efforts that are taking place within the Forest's boundaries, it is confounding why the Forest Service is pushing forward with the ill-conceived, environmentally destructive, and unpopular plan to open up the Forest, including areas in close proximity to successful condor nesting sites, to oil and gas development.

Further oil and gas development on the LPNF is inconsistent with the wildlife values that currently characterize the forest. No more national forest lands within the LPNF should be made available for oil and gas leasing.

Opening up the remaining public lands in the LPNF to oil and gas leasing availability would also violate the Forest Service's affirmative mandate under the National Forest Management Act (NFMA) to conserve the California condor and other protected species. Pursuant to NFMA, the Forest Service is required to maintain viable populations of vertebrate species and to provide for a diversity of plant and animal communities. 36 C.F.R. § 219.19 & 219.26.

9.8.13.2.2. Agency Response

In the New Preferred Alternative, the Fox Mountain Inventoried Roadless Area, which includes the Lion Canyon area, is either not leased or leased with the no surface occupancy stipulation. The Biological Opinion from the U.S. Fish and Wildlife Service (See Appendix F) concludes that leasing proposed under the New Preferred Alternative is not likely to jeopardize the continued existence of the California condor.

9.8.13.3. *Corridors/Fragmentation*

9.8.13.3.1. Representative comment(s)

Name	Organization
James Studarus	Conception Coast Project
Comment	
Pipelines placed above ground, especially multiple pipelines, prevent many animals from crossing, causing fragmentation of habitat.	

Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
Roads and pipelines also fragment wildlife habitat and bring not just road traffic but large numbers of people - along with exotic animals and plant species - into formerly undisturbed areas. Where once there was silence, noisy machinery - typically powered by polluting diesel engines - operates 24 hours a day every day of the year. Wildlife species that will be adversely affected by this noise, habitat degradation and human disturbance include all those specifically identified above, including the California Condor. Indeed, the Forest Service has acknowledged that the Condor is one of the species most at risk from oil development.	
Name	Organization
John Gallo	
Comment	
Habitat fragmentation is a state-wide problem. Would also like a population analysis of the mountain lion for the southern LPNF.	
Name	Organization
Paul Gipe	Sierra Club Kern-Kaweah Chapter
Comment	
Los Padres National Forest, with its tremendously large area and its large potential for unique species, is one of the least surveyed areas for animal and plant life. The mountain ranges of Los Padres National Forest are the only range of mountains in California lying in an east-west position. At the eastern end one finds the desert areas as well as the southern Sierras with their unique communities of animals and plants. At the western end there are the much varied coastal areas with still other sets of distinctive animals and plants. These ranges which contain Mt. Pinos, one of the highest points in Southern California and other high elevations in between, are a major pathway of travel for both plant and animal species to move from one area to the area, creating the potential for the discovery of many unique species and the further creation of still more new species.	
Name	Organization
Melinda Booth	Defenders of Wildlife
Comment	
Roads are detrimental to wildlife often preventing crossing and fragmenting habitat.	
Name	Organization
John T. Buse	Environmental Defense Center
Comment	
The DEIS contains no evaluation of existing wildlife movement corridors or the impact of the various alternatives on such corridors. This analysis is necessary for a complete evaluation of the proposed action's effects on biological resources. In addition, while the DEIS includes a cursory quantification of the effects of the various alternatives on some habitat types, there is no consideration of the impact of habitat fragmentation associated with exploration and development activities. A large scientific literature exists showing that fragmentation will have a significant effect on threatened and endangered species, as well as other wildlife. This literature must be evaluated	

9.8.13.3.2. Agency Response

Please refer to section 4.4.2.2, which discusses the indirect impacts of potential oil and gas developments to wildlife and corridor fragmentation.

9.8.13.4. Fisheries

9.8.13.4.1. Representative comment(s)

Name	Organization
Rodney R McInnis	USDOC NOAA Fisheries
Comment	
Refer to NOAA fisheries letter which is reproduced in its entirety in Appendix H.	

9.8.13.4.2. Agency Response

Since receipt of NOAA’s comments on the DEIS, the Forest Service has initiated and concluded informal Section 7 consultation with NOAA Fisheries relative to endangered steelhead in the Southern California Evolutionarily Significant Unit (ESU). NOAA Fisheries has concurred that the proposed action (the New Preferred Alternative) is not likely to adversely affect the Southern California ESU for Federally endangered steelhead (*Oncorhynchus mykiss*). The concurrence letter is contained in Appendix F. It states in part:

*“This letter is in response to Los Padres National Forest (LPNF) request to initiate informal section 7 consultation relative to endangered steelhead in the Southern California Evolutionarily Significant Unit (ESU) with regard to an oil and gas leasing proposal within the boundaries of the Los Padres National Forest in southern California. NOAA National Marine Fisheries Service (NMFS) understands the proposed action (File Code 2670) is to designate additional lands under the jurisdiction of the LPNF that may potentially be made available in the future for leasing of oil and gas resources. NMFS understands that the proposed action will not result in any actual ground breaking activities or development. This action would set the stage for the potential leasing of up to 4,277 acres, of which 140 acres fall within potentially suitable steelhead habitat and 13 acres of occupied steelhead habitat. NMFS understands that LPNF proposes to minimize potential direct impacts of any future operations that are approved by not allowing any project activities within aquatic or riparian areas and will create buffers of up to 200 meters from sensitive habitat. In the event it is determined that a granted lease and actual development may affect listed species, LPNF would develop a separate and complete biological assessment for those specific actions and would fulfill any Endangered Species Act obligations for threatened and endangered species via a section 7 consultation at that time. In consideration of the above information, NMFS concurs with LPNF that the proposed action is not likely to adversely affect the Southern California ESU for Federally endangered steelhead (*Oncorhynchus mykiss*).”*

9.8.13.5. Threatened and Endangered Species

9.8.13.5.1. Representative comment(s)

Name	Organization
Bruce Wheeler	
Comment	
Protect the Blunt nosed lizard, Mountain Plover, Swainson's Hawk, Southern Rubber Boa, Mule Deer, Brush Rabbit, and California Spotted Owl	

Name	Organization
Jonathan R. Mueller	
Comment	
Populations of seven listed species; California Condor, Southern Steelhead Trout, San Joaquin Kit Fox, Blunt-nosed Leopard Lizard, Least Bell's Vireo, Willow Flycatcher, and Giant Kangaroo Rat will potentially be reduced by direct mortality, habitat loss, human and noise disturbance, and pollution.	
Name	Organization
Supervisor Gail Marshall	Board of Supervisors County of Santa Barbara
Comment	
<p>Sensitive Species Impacts: The DEIS should analyze the impacts of the proposed project on sensitive species within the project area. Of particular concern are the areas surrounding Cuyama, New Cuyama and Figueroa Mountain. Two U.S. Forest Service documents indicate that there are clusters of endangered, threatened and sensitive species of flora and fauna within those areas. The EIS should review these sources, noted below, and assess any potential threats to sensitive species posed by the project. The sources are:</p> <p>"Southern California mountains and foothills assessment: Habitat and species conservation issues." , I.R. Stephenson and G. M. Calcarone, General Technical Report GTR-PSW-172. Pacific Southwest Research Station, Forest Service, USDA: Albany, CA.</p> <p>"Southern California Conservation Strategy Province Consultation Package", United States Department of Agriculture. 2000. USFS, Southern California Province: San California Native Plant Society</p>	
Name	Organization
James Studarus	Conception Coast Project
Comment	
20 plants & animals listed as T&E under ESA are at risk including: California Condor, Peregrine Falcon, CA Gnatcatcher, Blunt-Noesed Leopard Lizard, Arroyo Toad, CA red Legged Frog, San Joaquin Kit fox, Gambel's Water Cress, Hoover's Eriastrum, CA Jewelflower	
Name	Organization
Senator Barbara Boxer	U. S. Senate
Comment	
Within its boundaries live several threatened or endangered species and it is the home of California condors	
Name	Organization
Tim O'Keefe	Sierra Club Santa Lucia Chapter
Comment	
Threatened and endangered species of plant and animals (not to mention current and potential Condor habitat) could be placed at greater risk - does the Forest have a "take permit" for all T & E species at risk from gas and oil exploration?	

Name	Organization
Katy Rexford	Bluewater Network
Comment	
<p>Los Padres provides vital habitat for the California Condor, Peregrine Falcon, San Joaquin Kit Fox, and the California Jewelflower among others. Two of the only four California Condor eggs laid in the wild since their recovery effort began were found in the Fox Mountain Roadless area of Los Padres. It is unthinkable to sacrifice this vital habitat for a symbolic green light to the oil industry to increase domestic oil.</p>	
Name	Organization
Johanna Wald	Natural Resources Defense Council
Comment	
<p>The Los Padres wildlands also have extremely high wildlife values. They are home for a wide variety of species, many of which are endangered or threatened, including the San Joaquin kit fox and the California Condor. The remote Lion Canyon condor release site has played an extremely important and positive role in the condor recovery program, and two of the only four eggs that have been laid in the wild in California since the program began were laid in the Fox Mountain Roadless area. A condor chick just hatched April 10 in the Sespe Wilderness, the first in 18 years in the wild. Other species that find habitat in wild areas of the Los Padres include the hybrid blunt-nosed leopard lizard, the mountain plover, Swainson's hawk, short-nosed kangaroo rat, mule deer, brush rabbit, and California spotted owl.</p> <p>These resources would be negatively affected by the roads, pipelines, potential oil spills, increased industrial traffic, power lines, and potential increase in wildfire danger accompanying the proposed development.</p>	
Name	Organization
Senator Jack O'Connell	California Senate
Comment	
<p>One of my greatest concerns is the fact that the LPNF is home to at least 23 species, including the California Condor, that are classified as endangered, threatened or proposed for listing under the Endangered Species Act</p>	
Name	Organization
Michael Summers	California Wild Heritage Campaign
Comment	
<p>The entire northeast slope of the Sierra Madre Range including the upper Cuyama and Sespe watersheds are identified by LPNF as Areas of High Ecological Significance (Southern California Mountains and Foothills Assessment, 1999). These areas also feature extremely high densities of threatened, endangered, and sensitive species, including California Condor, Peregrine Falcon, California Gnatcatcher, Blunt-Nosed Leopard Lizard, Arroyo Toad, California Red-Legged Frog, San Joaquin Kit Fox, Gambers Water Cress, Hoover's Eriastrum, and the California Jewelflower. In addition, sensitive species such as ountain Plover, Swainson's Hawk, Southern Rubber Boa, Short-Nosed Kangaroo Ra, Mule Deer, Brush Rabbit, and California Spotted Owl are all at risk from habitat loss, human disturbance, and noise disturbance.</p>	
Name	Organization
Geoff Hickcox	Center for Biological Diversity
Comment	
<p>The Current Drilling Approval Process Fails to Analyze Direct and Cumulative Impacts on Threatened, Endangered and Sensitive Species. The Forest Service has approved 70 new drill wells within existing leases since 1980, which in a number of cases included the building of pipelines and roads. Only one proposal to drill 9 wells by the Seneca Resources Corporation elicited a formal biological consultation with the U.S. Fish and</p>	

Wildlife Service pursuant to Section 7(a) of the Endangered Species Act. Apparently, no cumulative effects of the existing and continuing drilling on wildlife and vegetation have been analyzed over the past 22 years. Under NEPA, the DEIS is required to determine the cumulative effects of past, present and future activities of all parties involved. Each approval for the drilling of a new well used the same rubber-stamp language from the district ranger, and provided no substantiation for the determination of no negative impact to endangered species (aside from pointing out that some operations were at least 1.5 miles from a condor nest). The history of approval of existing wells would lead the public to believe that little or no analyses are conducted to fully assess the impacts of these wells on endangered and threatened plant and animal species.

The LPNF is currently preparing a Biological Assessment under the Endangered Species Act for the purposes of initiating formal Section 7 consultation with the Fish and Wildlife Service. As with the ongoing Forest Plan revision process, the Forest Service would be in a better position to make an informed decision on the oil and gas leasing issues presented in this DEIS following completion of the upcoming consultation. The CBD urges the Forest Service to refrain from making any decisions that may directly or indirectly result in adverse effects to protected species or their habitats.

Approximately 53% of the public lands within the boundaries of the identified HOGPAs in this DEIS comprise essential wildlife habitat. Clearly these lands are unsuitable for oil and gas drilling, and any new oil and gas leasing would be incompatible with threatened and endangered species recovery. All threatened or endangered species habitat should be excluded from leasing availability.

The sensitive, threatened and endangered species information used as a basis for the DEIS analysis is outdated and inadequate. As noted earlier, a major goal of the ongoing Forest Plan revision process is to gather and evaluate up-to-date threatened and endangered species information in order to develop better, more effective management directives. In fact, the existing Forest Plan's most glaring deficiencies are in the area of managing the forest with protected species in mind.

9.8.13.5.2. Agency Response

The wildlife analysis has been updated in the FEIS and is now based, for the most part, on habitat data generated during the Forest Plan revision process. Please see sections 3.2 and 4.4. No significant direct, indirect, or cumulative impacts to any Threatened, Endangered, or Forest Service listed sensitive species are projected to occur as a result of the New Preferred Alternative. Section 7 consultation with the U.S. Fish and Wildlife Service has concluded. The Biological Opinion provided by the USWFS (Appendix F) concludes that leasing proposed under the New Preferred Alternative is not likely to jeopardize the continued existence of any listed species.