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Forest Service rejects effort to block additional drilling

Federal agency says appeals are premature

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The U.S. Forest Service has rejected appeals filed by the California attorney general and three conservation groups that would have blocked additional drilling for oil and gas in Los Padres National Forest.

In its response to the attorney general denying the appeal, the Forest Service essentially said last week that objecting to drilling is premature because no new leases or exploration has been authorized.

A spokesperson for the Attorney General's Office said the agency was reviewing its options but was disappointed the federal government could not see the forest for the trees in this case. In not fully analyzing the effects of additional drilling now, before leases have been granted, it ignores the purpose of environmental review, the state argues.

"That (is) the gist of our challenge," said spokeswoman Teresa Schilling, "that the National Environmental Policy Act and its state counterpart, the California Environmental Quality Act, are on the books to influence how decisions are derived, not to be applied after they're decided."

Last July, Los Padres Supervisor Gloria D. Brown announced that the Forest Service would open an additional 52,000 acres of Los Padres to oil and gas development. New surface drilling, power lines and roads would be limited to 4,000 acres, and the remaining 48,000 would be open for underground slant drilling.

Presently, about 4,900 acres of Los Padres are leased for oil and gas development. There are 200 active oil wells in Los Padres north of Fillmore and 40 wells on forest land in the Cuyama Valley.

In September, both the attorney general in one filing and three environmental groups — the national organization Defenders of Wildlife, Los Padres ForestWatch of Santa Barbara and the Center for Biological Diversity, based in Tucson, Ariz. — in another appealed the Forest Service's decision. They claimed that the infrastructure for drilling would harm the forest and that the government used outdated reports in making its decision.

In rejecting the appeals, Deputy Regional Forester Thomas L. Tidwell wrote that merely pinpointing where new development might go was an appropriate action by Ms. Brown.

"... She acknowledged that most of the public response expressed opposition to any new oil and gas leasing in the Forest," Mr. Tidwell wrote. "However, she states that as a Forest Supervisor, she has the legal responsibility to consider all legitimate public uses on National Forest Service lands including oil and gas leasing. I agree with the Forest Supervisor."

Ms. Brown emphasized that regardless of when any specific type of review is begun, a full legal assessment will be made.

"When it comes time for a lease to actually be let, there will have to be a site-specific analysis, and we'll do another assessment. That assessment will adhere to that environmental impact statement and things particular to that particular site before any dirt is moved."

She also stressed that any site-specific assessments would take account of activities "across the landscape." In other words, the service could see the figurative trees

and the forest.

The appellants have their doubts.

"Tremendous pressure is being put on forest managers to squeeze out the last drops of oil," said Ms. Schilling, "and other agencies are being pushed to determine how to make that happen without harming the lands."

"But there is no compelling interest in drilling on these lands — the minimal amount of oil and gas is simply not worth the cost to recreation and wildlife."

Other appellants sounded similar themes.

"Today's decision reveals just how far this administration will go to squeeze every last drop of oil from our public lands," Jeff Kuyper, executive director of Los Padres ForestWatch, said in a statement. "Our very own national forest is one of our country's most spectacular natural treasures, and after today's decision, it's now one of the most endangered."

The new areas open to oil and gas leasing are primarily in the Sierra Madre foothills south of Cuyama and in the foothills north of Fillmore, both areas next to sanctuaries for the endangered California condor.

Monica Bond, leading biologist with the Center for Biological Diversity, said the service was acting "recklessly" toward the big bird.

Ms. Brown suggested that differences of opinion were bound to occur in this process given Californians' kinship with Los Padres.

Noting that more than half of the forest is tied up by 10 sanctuaries, she added, "because of the values the people surrounding Los Padres have, it is very difficult to address these commodity issues where everyone has a sense of place and many believe that the decisions should not occur."

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