

Land Letter

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Los Padres leasing plan challenged

Lucy Kafanov, *Land Letter* reporter

A Forest Service decision to allow oil and gas leasing on large tracts of Southern California's Los Padres National Forest has been challenged by California Attorney General Bill Lockyer (D) and three environmental groups.

In separate appeals filed last week, Lockyer and the environmentalists — Center for Biological Diversity, Defenders of Wildlife and the Los Padres ForestWatch — called on the Forest Service to prevent further drilling in the forest, citing potential harm to air and water quality as well as the endangered California condor.



Less than 300 California condors exist worldwide. Photo courtesy of the Fish and Wildlife Service.

“We’re concerned that some of the drilling would be allowed literally within a stone’s throw from the primary relief site for the condors,” said Defenders of Wildlife spokeswoman Pamela Flick. “We definitely disagree with their findings that this will not impact the condors or any of the habitat that they’re using.”

The Forest Service announced in July its plan to open 52,000 acres, including about 38,000 acres of roadless areas, for oil and gas exploration. It touted the plan’s environmental benefits, noting that drilling will not be allowed in critical habitat for the California condor and surface development will be barred in the roadless portions of the 1.75 million-acre forest. Companies leasing these areas would have to access the oil and gas resources through directional drilling from wells on adjacent land ([Land Letter](#), Aug. 4).

Environmentalists contend that expanding drilling activities in Los Padres would also increase the risk of catastrophic oil spills, posing a threat to the condor and other rare wildlife, including the arroyo toad and southwestern willow flycatcher. The threat posed by the forest’s current oil and gas operations, which includes some 180 wells, was dramatically highlighted a few years by an incident in which a male condor dipped his head into a pool of oil and then transferred the oil to a chick that

later died.

But forest officials note that just because drilling is allowed in an area does not mean any will actually occur there. “What’s important to remember is that this decision makes lands available for leasing but it doesn’t authorize any drilling or other developments,” said Los Padres National Forest spokeswoman Kathy Good. “There is another level of environmental analysis much more site-specific that will occur if there’s ever a proposal to drill on any of the land set for oil and gas development.”

“We will not risk the species,” Good said.

In his appeal, Lockyer said oil and gas development in the Los Padres “makes little sense” for several reasons, including the fact that the service proposes designating specific lands available for leasing prior to finishing a forest plan revision that aims to balance competing uses of the forest for “maximum benefit to the public.” He wrote that the service put “‘the cart before the horse’ both legally and in terms of rational forest planning.”

In fact, the Forest Service says that human visitors and the garbage they leave behind pose more of a threat to the condor. “One of the biggest problems we’ve had with the condors down there is the public leaving behind litter and trash,” said Forest Service spokesman Matt Mathes. “It’s not as much the oil and gas people as it is the trash, the power lines, or some yo-yo who decides he wants to shoot a condor out of the sky.”

Regional Forester Bernie Weingardt is expected to make a decision on the appeals by March, although Mathes said the review process could take longer. If the groups are unhappy with Weingardt’s decision, they could then appeal it to Forest Service Chief Dale Bosworth or challenge the leasing plan in court.

“If they reject our appeal, at that point we will decide if litigation is appropriate,” said Jeff Kuyper, executive director of Los Padres ForestWatch.

The leasing plan could also be stopped legislatively. California Democrats Rep. Lois Capps, Sen. Dianne Feinstein and Sen. Barbara Boxer have introduced companion legislation in the House and Senate that would ban new oil and gas development in Los Padres.

The Forest Service estimates the lease areas could produce 17 million barrels of oil equivalent, a combination of crude oil and natural gas that could be worth significantly more than \$1 billion at today’s oil prices of nearly \$70 per barrel. “My understanding is that Brown felt it would be irresponsible of her not to make some contribution to the nation’s oil and gas need,” Mathes said.

But Flick points out that 17 million barrels is less than one day’s supply for the United States. “We spent over \$35 million dollars on the condor recovery program and to extract a day’s oil just doesn’t seem like it would make economic or environmental sense.”