



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

October 24, 2005

Gloria Brown, Forest Supervisor
Los Padres National Forest
6755 Holister Avenue, Suite 150
Goleta, CA 93117

Subject: Los Padres National Forest Oil and Gas Leasing Final Environmental Impact Statement (EIS) [CEQ # 20050381]

Dear Ms. Brown:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementation Regulations at 40 CFR 1500-1508, and Section 309 of the Clean Air Act.

In our comments on the Draft EIS, we expressed objections to the proposed project based on two main issues: the potential ozone exceedences of the preferred alternative and the application of Bureau of Land Management (BLM) Standard Lease Terms to the preferred alternative. We note that, under the new preferred alternative in the Final EIS and Record of Decision (ROD), the Forest Service would not authorize oil and gas leases in San Luis Obispo County and would authorize fewer oil and gas leases in Ventura and Santa Barbara counties. These changes to the preferred alternative would reduce impacts to air quality over the short-term during construction activities and over the long-term production period. EPA remains concerned, however, that the projected short-term emissions of the proposed project would be significant if several wells would be drilled at the same time. The Ventura Air Pollution Control District (APCD) is in Federal nonattainment for ozone, and the Santa Barbara APCD is required to develop a maintenance plan for ozone to verify continued attainment of the 8-hour ozone National Ambient Air Quality Standard. We recommend additional lease stipulations to reduce air pollutant emissions and to ensure that lessees are clearly held responsible for hazardous spills and clean ups.

We appreciate the opportunity to review this Final EIS. If you have any questions, please call me at (415) 972-3988, or have your staff call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

/S/

Duane James, Manager
Environmental Review Office
Communities and Ecosystems Division

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Enclosure: EPA Detailed Comments

cc: Al Hess, Ojai Ranger District, Los Padres National Forest
Christopher Stevens, Ventura County Resource Management Agency
Ron Tan, Santa Barbara Air Pollution Control District

U.S. EPA Detailed Comments
Los Padres National Forest Oil and Gas Leasing Final EIS

Air Quality

EPA remains concerned that the new proposed alternative could result in significant short-term, and potentially long-term, ozone impacts in the project area, even with mitigation. Ventura County is in nonattainment for the 8-hour national ambient ozone standard. Although Santa Barbara County is in attainment for the 8-hour national ambient ozone standard, the Santa Barbara Air Pollution Control District (APCD) is required to develop a maintenance plan for ozone under Section 110(a)(1) of the Clean Air Act. This maintenance plan requires verification of continued attainment of the 8-hour ozone National Ambient Air Quality Standards through the development of emissions inventories for the baseline year and emissions projections for outer years.

Recommendation: The Forest Service should inform the Ventura APCD and the Santa Barbara APCD regarding the predicted project emissions associated with the Federal action and work collaboratively to ensure that the emissions inventories for future years do not exceed the baseline emissions for 8-hour ozone.

Both the Ventura and Santa Barbara APCDs are in nonattainment for the State standards for ozone and particulate matter greater than 10 microns in diameter (PM10). Despite the reduction in project size, the projected short-term project emissions for nitrogen oxide (NO_x), an ozone precursor, and PM10 are several orders of magnitude greater than the established air quality significance criteria, which are 25 lb/day and 80 lb/day, respectively. We understand that the potential short-term project emissions presented in Table 4-7 of the Final EIS comprise the total estimated well development emissions over the life of this leasing plan rather than during any one year of the plan life. However, even if these emissions are spread out over 10 to 15 years, they could still cause significant ozone and PM10 impacts in the project area.

Recommendation: The Forest Service should commit to timing the approvals for individual well development projects so they are phased as much as possible over the life of this leasing plan. The Forest Service should work closely with the Santa Barbara and Ventura APCDs to determine whether each Federal action conforms to the emissions budgets in the applicable State Implementation Plans.

The Air Quality Information Notice in the Final EIS includes a number of other mitigation measures to reduce ozone precursors and PM10. Several additional measures, which we identified in our comments on the Draft EIS, should be included as well.

Recommendation: We recommend the Forest Service add to its Air Quality Information Notice the following measures to reduce diesel particulate, carbon monoxide, hydrocarbons, and NO_x associated with construction and drilling activities:

- § Engines do not idle for more than five minutes (unless in the case of certain drilling engines it is necessary for the operating scope);
- § Engines are not tampered with in order to increase engine horsepower;
- § Engines include particulate traps, oxidation catalysts and other suitable control devices on all drilling/construction equipment used at the project site; and
- § Engines 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.

Spill Prevention and Clean Up

The Final EIS (p. 4-137) states that it “is expected that operators would be able and willing to oversee spill prevention and response for all new operations.” Because of the extreme hazard oil, toxic waste, and hazardous substances pose to the environment, lessees/operators should be held clearly responsible for any discharge that may occur during operations under their lease. Lease stipulations are the appropriate place to outline lessee/operator responsibility for hazardous spill prevention and clean up.

Recommendation: The Forest Service should ensure that spill prevention and clean up lease stipulations apply to all lands authorized for lease. Such lease stipulations should name the lessee/operator as the responsible party for any discharge of hazardous substances that may occur during operations under the lease, and commit the lessee/operator to specified spill prevention techniques outlined by the Forest Service.