

Appendix B – Consolidated response to comments to Tract 13 Comment Package - 5/15/08

Roughly 110 commentors responded during the comment period with approximately 90 of these utilizing a form letter that opposed the project. The following main points are summarized from these comments (responses are italicized below):

1) The Forest Service originally proposed this lease last year but cancelled the project after the Allegheny Defense Project pointed out that the agency violated the National Policy Act (NEPA) by relying on outdated environmental analyses to approve the lease.”

This is not the case. Approval of leasing operations is a two step process. The first decision to lease was made in 1981. An Environmental Assessment was initiated in 2007 to complete the second step for approving the Surface Use Plan of Operations. The EA was cancelled when it became apparent that the project complied with the Energy Policy Act of 2005 – Section 390 Categorical Exclusion. This decision completes the 2 step federal leasing process.

2) Until the Forest Service properly analyzes the cumulative effects of oil and gas drilling on local and regional air quality, it is not operating under an “approved land use plan,” so the Energy Policy Act categorical exclusion does not apply.”

A Review of Information – OGM Activity and Air Quality has been completed (dated 7/31/08). The conclusion of this analysis found that site specific projects are tiered to the analysis found in the Forest Plan and this review of information. This information is to be used in project level analysis for on the ground proposed management activities. The ANF is operating under an approved land use plan.

3) The chief’s suspension does apply to this project and all federal oil and gas leasing in the Allegheny because the Forest Service analyzed private oil and gas drilling and federal oil and gas leasing together in the Forest Plan FEIS”. “Furthermore, the Chief’s third instruction in the forest plan appeal decision does not differentiate between private oil and gas drilling and leasing federally-owned minerals.”

It is true that the federal and private mineral analysis was combined; however, the suspended revised design criteria in the LRMP are specifically directed at private OGD. Therefore, the 2800 Section in the LRMP addressing Federal Minerals (pg. 92) remains effective. Chief’s letter p. 3 under instruction #1 says, “Until that time, applying the use of the Revised Plan design criteria specific to private OGD is suspended.”