

**Question and Answer Summary  
Oil & Gas Transition EIS  
September 29 – October 1, 2009 Public Meeting Questions**

We will continue posting information to the website – please check back regularly to see if additional information has been added. The document archive is the best place to check for new postings.

[http://www.fs.fed.us/r9/forests/alleggheny/projects/supp\\_eis/documents/index.php](http://www.fs.fed.us/r9/forests/alleggheny/projects/supp_eis/documents/index.php)

## **Alternatives**

Q – Has the ANF considered recent court decisions when stating that no access is not a legal option?

**A – It is not within the decision-maker’s authority to deny reasonable access to private property rights.**

Q – Does the ANF have any alternative that will actually not have species viability decline (where species viability does not decline? – relates to 2007 FEIS, SVE analysis showing decline in some species)?

**A – The significant issues, alternatives and analysis will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010. Potential impact on species is an analysis item and will be included.**

Q – Wouldn’t range of alternatives include an alternative without species decline?

**A – Potential impact to species will be analyzed and included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – How does Part II work? How can ROD for TEIS approve a proposal that hasn’t been made?

**A – The decision to be made on Part II is what, if any, review process to approve for use of processing future proposals for development and determining the appropriate level of NEPA.**

Q – Is the TEIS applying the SEIS Alternative 3 standards and guidelines?

**A – At this time, as issues and alternative are being developed, the TEIS is using the preferred alternative identified in the Draft Supplemental Environmental Impact Statement (Alternative 3). Adjustments will be made as needed based on the final decision made on the Supplemental Environmental Impact Statement in December 2009. The Draft Transition Environmental Impact Statement released for public review and comment in January 2010 will be consistent with the final decision made on standards and guidelines for private oil and gas activities on the ANF.**

Q – The ANF has identified only two areas that the public is concerned about – Tracy Ridge and Rimrock. How does the Forest Service identify other areas of concern? Does the public have to do this over again? How do areas of concern identified in the Forest Plan get considered?

**A – The significant issues identified were based on the site-specific comments received on the proposed action. The process used and details regarding what was or was not moved forward as a significant issue is included as part of the project record. If you have other areas where there are site-specific concerns based on the proposed activities, these need to be included as part of the comments on the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Are there any alternatives that address degradation of recreation trails/experience?

**A – All alternatives were developed based on significant issues. Analysis of potential impacts to recreation will be conducted and disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Does the ANF have a list of surface impacts that it is trying to mitigate?

**A – The analysis of potential impacts to surface resources, and what, if any, mitigation to apply will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Can you explain significant issue related to species viability? Can the Forest Service include “fragmentation” as a significant issue, or use the word in the description of this issue?

**A – Fragmentation will be included as part of the analysis disclosed in the Environmental Impact Statement. The significant issues discussed during the public meetings were preliminary and are being finalized and further refined. The final significant issues and alternatives developed to address the issue will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Does Part II analysis also use the SEIS Alt. 3 standards and guidelines? Why are we not using the other alternatives in the SEIS in the application of standards and guidelines to Parts I and II of TEIS?

**A – Yes. Alternative 3 is the preferred alternative identified in the Draft Supplemental Environmental Impact Statement released for public review and comment. The final analysis in the TEIS, for both Part I and II, will apply the final standards and guidelines issued in December 2009 as part of the Record of Decision for the Supplemental Environmental Impact Statement.**

Q – The ANF has employed a lot of seasonal staff to field verify based on Alt. 3, how do we intend to field verify if the SEIS decision is a different alternative? Is the mapping process for TEIS different than the site-specific layout OGM administrators do on the ground with OGD operators?

**A – The field (ground) surveys done over the summer were done on the proposed action and wells and roads associated with the proposals received. These surveys and the data acquired are valid regardless of the final decision on Forest Plan standards and guidelines. The alternatives and respective analysis will adhere to the final standards and guidelines included in the Supplemental Environmental Impact Statement Record of Decision issued in December 2009.**

Q – Is the TEIS related to the Forest Plan? If so, why are you telling the public now, and not considering comments provided during Forest Plan? When I comment now, do you ignore that I referenced my previous comment on Forest Plan in 2007?

**A – The TEIS is a site-specific analysis of proposed development of private mineral rights. The decisions to be made are very specific to what, if any, mitigation measures to apply to minimize impacts to surface resources while ensuring reasonable access to private property. In addition, a decision will be made regarding what review process to use as future proposals are received. Forest Plan standards and guidelines are the basis for determining how to minimize impacts to surface resources. A separate analysis is being done to analyze potential changes to the Forest Plan standards and guidelines regarding private oil and gas activities. This analysis had included extensive public involvement. A final decision will be made in December 2009. The TEIS will adhere to this decision.**

## Analysis

Q – Why did the ANF change the analysis area for Part II?

**A – The analysis area for Part II was further refined based on review of: (1) comments received internally and externally on the proposed action; (2) Information regarding historic level and placement of development; and (3) Review of analysis done in the Forest Plan.**

Q – What is the ANF doing in the Part II analysis area? What are people doing in the field?

**A – The analysis, methodology and assumptions made for Part II of the analysis will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Where does 500' spacing begin? GPS, long/lat, etc.? What will the ANF be doing when it looks at this spacing? Why is that different from SEIS?

**A – The TEIS will tier to and incorporate the analysis done in the SEIS. Any differences will be because the SEIS is programmatic whereas the TEIS is site-specific. The spacing, assumptions and methodology used will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Where does the ANF address concern that Part II is not a NEPA process?

**A – Part II of the proposal includes making a decision to determine what, if any, review process will be used for future proposals and the appropriate level of NEPA.**

Q – Is Part II being done out of concern for forest resource effects or is it to accommodate future drilling?

**A – Part II is being done to help determine what, if any, process to apply for processing future proposals and determining the appropriate level of NEPA.**

Q – Is Part II a NEPA process? What does analysis consider? What is the action being proposed and analyzed?

**A – Part II is being analyzed site-specifically and the specifics on what is analyzed and the methodology will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – If actual site proposal by an OGM company is outside what Part II analyzed, does the public get informed at that point (new NEPA process)?

**A – One of the significant issues identified is public involvement in Part II of the proposal. Alternatives will be developed and analyzed to address this issue. This information will be included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Do you consider reasonable access based on length of road, amount of oil drilled, or impacts of access? If reasonable is ambiguous, does it depend on what each person considers reasonable? What resource impacts are being analyzed? How do we comment on resource impacts when we don't know what resources will be analyzed?

**A – The Draft Environmental Impact Statement released for public review and comment in January 2010 will include the specific resources analyzed and potential mitigation being proposed to minimize impact to surface resources.**

Q – What is the difference between TEIS analysis and the 1986 and 2007 Forest Plan FEIS analysis?

**A – The TEIS is a site-specific analysis of activities being proposed for implementation on the ground. The analysis done for Forest Plans is programmatic and is for standards and guidelines to be used when analyzing and implementing actual activities on the ground.**

Q – What will analysis in this new process (Parts I and II) look different when compared to process of layout prior to NEPA?

**A – The specifics on activities being proposed and analyzed in Part I and Part II will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – If Marcellus is to be analyzed separately using 2007 standards and guidelines, what new information is used (since Marcellus isn't considered in 07 S&Gs)?

**A – Proposed development of Marcellus shale was included in proposed Forest Plan standards and guidelines included in the Draft Supplemental Environmental Impact Statement released for public review and comment in July 2009. Site-specific analysis of Marcellus is outside the scope of the TEIS.**

Q – Application of standards and guidelines, scenarios (300’ setback, understanding how the standards and guidelines apply site specifically). Is the analysis based on spacing standards and guidelines or application of standards and guidelines to spacing?

**A – The analysis is based on application of Forest Plan standards and guidelines to proposed activities. In addition, for some alternatives the analysis is also based on application of proposed mitigation measures developed to address significant issues.**

Q – Is the comment that this analysis should include and disclose deep well locations and effects site-specific enough to be included as raising a significant issue?

**A – The TEIS is a site-specific analysis of proposed shallow wells.**

## Heritage

Q – Define heritage?

**A – Heritage Resources are defined as historic landscapes, archaeological sites, buildings, structures, features, artifacts, Native American Traditional Cultural properties, and/or related clusters of these (2007 Forest Plan).**

Q – How does oil and gas development of the past get considered as a heritage site?

**A – Site-specific analysis of heritage resources will be disclosed in the Draft Environmental Impact Statement released for review.**

## General

Q – Can you explain the difference in shallow and deep wells? What difference does it make to the ANF?

**A – The Pennsylvania Oil and Gas Conservation Law, Act 359, and the implementing regulations of 25 Pa. Code Chapter 79, govern oil and gas wells which are drilled to a depth of at least 3,800 feet, and penetrate the Onondaga horizon (these wells are referred to as “conservation wells” or “deep wells”). The Pennsylvania Oil and Gas Act, Act 223, is the basic law governing oil and gas exploration and production. It sets forth the permitting, drilling, operating, casing, plugging, reporting, financial responsibility, registration, restoration, and gas storage requirements, among others. Wells less than 3,800 feet are often consider “shallow wells.” It is important to note the difference between shallow and deep wells because their development practices and patterns are commonly different. In the past, the ANF has primarily experienced shallow well development implemented at a 400’ to 500’ spacing.**

Q – Are you developing a general permitting process without a CE?

**A – No. We are conducting a site-specific analysis in accordance with the NEPA.**

Q – Need to explain concern levels 1 & 2 SIL (scenic integrity level)?

**A – Concern Level is defined as a measure of the degree of public importance placed on landscapes viewed from travelways and use areas. Concern Levels are divided into three categories: 1, 2 and 3, with Level 1 being the highest level of importance.**

Q – When considering visual effects, how do you factor short and long term effects?

**A – This will be done as part of the environmental analysis and included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Are there plans to remove oil wells that no longer produce and how would the ANF be involved in this process? Monitoring?

**A – That is not part of the decision being made at this time.**

Q – Is there a monitoring plan the public can review?

**A – Any site-specific monitoring will be included as part of the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – What does the Forest Service do about identifying abandoned wells in analysis areas?

**A – Abandoned wells and what to do with them is outside the decision to be made in this site-specific analysis.**

Q – How do we account for effects of fracing in areas with abandoned wells? Should this be a significant issue?

**A – Abandoned wells and what to do with them is outside the scope of the decision being made in this site-specific analysis.**

Q – Is Phase II a moving target?

**A – No.**

Q – Why is it necessary that these wells get drilled?

**A – 93% of the ANF's subsurface is privately owned. Denial of reasonable access to private property rights is not within the decision-makers authority.**

Q – Can the Forest Service consider impacts of blowing abandoned wells during new well development? Can the Forest Service have personnel on-site during the frac process to monitor for blowouts? What about junk that gets left?

**A – These are outside the scope of the site-specific decision being made in this analysis.**

Q – Did the federal government envision this level of OGD when creating the ANF?

**A – The ANF was purchased in 1923 and did not include the purchasing of the majority of subsurface rights at that time.**

Q – Has the ANF ever compared cost of analysis of effects of private OGD and just purchasing the OGD rights?

**A – This is outside the scope of the decision to be made on this site-specific analysis. The purchasing of oil and gas rights was considered in the 2007 Allegheny National Forest Land and Resource Management Plan.**

Q – If I come to the ANF with a proposal to drill 400 wells in Part II Green Area do you start NEPA process all over?

**A – Whether or not the appropriate level of NEPA has been completed will be determined on a case-by-case basis as future proposals are received. The process on how this determination will be made is proposed as Part II. Full disclosure of Part II will be included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – How does the public learn that an oil and gas company has approved something additional to that proposed by 6/22?

**A – This is a significant issue being addressed through alternative development in the Environmental Impact Statement. A full disclosure of the alternatives will be included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Does the ANF have proposals (other than PGE) that have been submitted since 6/22? How many wells? What are we doing with these proposals? Has this been scoped?

**A – All of the proposals received since June 22, 2009, are included as part of the public record and are being considered in Part II of the proposal. The site-specific information will be included for public review and comment when the Draft Environmental Impact Statement is released in January 2010.**

Q – What is reasonable access?

**A – Determination of reasonable access and what, if any, mitigation measures to apply to ensure reasonable access while minimizing the impact to surface resources is the analysis and decision being made (site specifically) in the Transition Environmental Impact Statement. The Draft Environmental Impact Statement will be released for public review and comment in January 2010.**

Q – What is the process for rectifying situation when the Forest Service disagrees with OGD definition of reasonable access? Is the administrative process for NEPA the only process for resolving such differences?

**A – The NEPA process is the first process for the public, including mineral right owners, to express concern with potential mitigation measures being looked at for implementation.**

Q – What significance does the state legislature have in this process?

**A – All Federal and State laws are being adhered to in this process.**

Q – Why will deep wells be considered separately and how will this process work? What is so different and new about Marcellus development?

**A – The decision-maker determined that the Transition Environmental Impact Statement was specific to shallow well development as scoped and presented in the proposed action. Deep well development, including Marcellus, will be considered as reasonably foreseeable actions and included in the cumulative effects analysis. For any site-specific proposals received for this type of activity, the appropriate level of NEPA analysis will be conducted.**

Q – Area 1A is large in and of itself; will the decision address this area specifically or as part of a general approach? Can there be unique mitigations to specific areas?

**A – Potential site-specific mitigation measures for Area 1a will be analyzed and disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010. The final decision made in April 2010 will include specifics on what, if any, mitigation measures will be applied and the location.**

Q – How do we propose to do social and economic analysis? Will this include effects to communities?

**A – Economic and social analysis of the proposed action and alternatives will be included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – How are standards and guidelines applied in TEIS going to look different from the 1986 Forest Plan?

**A – The Standards and Guidelines applied in the TEIS will be the standards and guidelines decided in the final decision for the Supplemental Environmental Impact Statement. The decision on the Supplemental Environmental Impact Statement will be made in December 2009 and incorporated as part of the Draft Transitional Environmental Impact Statement released for public review and comment in January 2010.**

Q – Is the Forest Service updating data on maps that will be different from USGS maps? Is LIDAR being used for Part II also? Are we finding more water – streams, ponds, springs, etc.?

**A – The ANF will utilize a variety of information and maps to conduct the Transition EIS, such as USGS maps and GPS data gathered in the field. We will be using LIDAR for some aspects of the project, which provides very site-specific and accurate data on land features. Using LIDAR has resulted in finding more water features on the ANF.**

Q – Where is map for Part II?

**A –All information to date has been posted on the website for the Allegheny National Forest.**

Q – What is the criteria for assuming length of road needed for a well in Part I?

**A –The estimated length of road used for analysis purposes is the same assumption used in the Forest Plan: 0.25 miles per proposed well.**

Q – Need to clarify “consistent with 2007 standards and guidelines”, we don’t have 2007 S&Gs yet?

**A – The final decision will be consistent with the final standards and guidelines determined in December 2009 when a decision on the Supplemental Environmental Impact Statement is made.**

Q – When do site-specific locations become public information?

**A – Site specific locations of wells and roads were included in Part I of the proposed action. The decision for Part II of the proposed action includes deciding on a review process based on the best information available for future development. The assumptions made and site-specific locations for potential future development analyzed as part of Part II of the proposal will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Will the Regional or National Office still have to approve individual proposals after the decision?

**A – No.**

Q – Who is responsible for underground effects due to chemical injection, etc.? Does DEP cover this? Are they hiring new people?

**A – The ANF is the surface land owner and responsible for management of surface resources. Specifics on the DEP and their organization is unknown, although our understanding is that they have recently hired additional personnel and opened a new office.**

Q – Are we addressing the new gas transmission lines passing through the ANF? Are we anticipating more drilling on the ANF as a result of additional transmission lines?

**A – Gas transmission lines are not part of this site-specific decision.**

Q – If technology is changing, why are we ignoring impacts of Marcellus development?

**A – Potential Marcellus shale development is not being ignored. It will be included in the cumulative effects analysis as a reasonably foreseeable future action. This analysis will be disclosed for public review and comment in January 2010 as part of the Draft Environmental Impact Statement.**

Q – Will the ANF consider spacing of Marcellus wells in Tioga State Forest as example of potential development on the ANF?

**A – The Draft Environmental Impact Statement will be released for public review and comment in January 2010 and will disclose the analysis done and methodology used.**

Q – What is the acreage of direct impacts in Part I?

**A – Direct impact analysis for Part I will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Can the Forest Service purchase the mineral rights as an alternative to No Action?

**A – Purchasing of mineral rights was included in the Forest Plan and is not part of this site-specific decision.**

## **Public Involvement**

Q – Forest Service is failing at getting public involvement. People aren't here because they aren't interested or aware Why not have a meeting or two in other locations (Pittsburgh, Cleveland, etc.)

**A – The public involvement process has been extensive and included numerous meetings, letters, media releases, postings on the website and conference calls. Website posting and conference calls were specifically set up so members of the public from anywhere in the US could participate. Whether or not members of the public choose to become engaged and remain engaged is outside of the Agency's control.**

Q – Can the ANF do live webfeed (comfortability with home attendance and participation via web)?

**A – This is something we will keep in mind for the future.**

Q – Are you asking for comment on the Part II process forms?

**A – Details on Part II and what is or is not part of the decision, as well as specific maps on what is being analyzed, will be disclosed to the public in mid-November and included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – When will the public have the opportunity to comment on the Part II map?

**A – Details on Part II and what is or is not part of the decision, as well as specific maps on what is being analyzed, will be disclosed to the public in mid-November and included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – How does the public comment on Part II if there are no specific proposals?

**A – Details on Part II and what is or is not part of the decision, as well as specific maps on what is being analyzed, will be disclosed to the public in mid-November and included in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – ANF did not have an official proposal for Part II (i.e. map) for public scoping (ADP comment).

**A – Part II was scoped and included specific information and examples to be applied across the entire ANF.**

Q – Concern that people have not been able to get on conference calls.

**A – We were not aware of this problem nor have we heard of an issue with this from any other members of the public. If it happens to occur in the future please call our office directly.**

Q – Are we proposing to change the 2007 Forest Plan? Where is public input to this process?

**A – For private oil and gas standards and guidelines, a NEPA process has been ongoing with proposed changes. This is the Supplemental Environmental Impact Statement. Further information is available on our website or can be obtained by contacting one of our local offices.**

Q – There are other stakeholders at a distance from public meeting locations, how can we better involve these people?

**A – Please share the word about our website, upcoming meetings and conference calls. In addition, if they are interested and would like to contact us directly we would be happy to assist.**

Q – Can you post actual letters?

**A – All information to date that has been released has been posted. The comments received from the public to date and how they were reviewed and used during the process is part of the official public record.**

Q – How does the public comment site-specifically when they don't have actual locations?

**A – Site-specific locations were included in scoping for Part I and described for Part II.**

Q – When was the map with roads and well sites posted on the website?

**A – Postings on the website are dated.**

Q – Are we still taking scoping comments?

**A – The official scoping period has ended. However, the extensive public involvement process (ie meetings, conference calls, updates on the website) has been specifically designed to encourage the public to be involved. If you have a specific question or concern, please contact our office.**

Q – Would the ANF have an official public hearing where public comments are recorded?

**A – The official recording of comments are done through the processes outlined in the federal register. A summary of questions and comments received during public meetings and conference calls have been recorded and answered via the website.**

## **Recreation**

Q – Can you be specific by referring to the Allegheny as a “recreation” river rather than a “wild and scenic” river?

**A – The Allegheny River was designated as part of the Wild and Scenic Rivers Act and as such is often referred to in those terms. Various segments, under this Act, could be designated as either wild, scenic or recreational. The Allegheny River has recreationally designated segments.**

Q – Section 1A – would drilling impact the Willow Creek ATV trail?

**A – Potential impacts to recreation, including the Willow Creek ATV trail, will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

## **Water Quality**

Q – Will ANF analysis disclose effects to water quality?

**A – Yes.**

Q – What impacts to water will the analysis consider? Do we use maximum daily load data for each watershed?

**A – This will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – What will we use as baseline for water effects in Parts I and II?

**A – This will be disclosed in the Draft Environmental Impact Statement released for public review and comment in January 2010.**

Q – Request for testing of water quality in Clarion River that is measurable and can be reported to the public. Suggestion that DEP does test, but may not occur until below Cooksburg. Request is for the ANF to test.

**A – This is not part of this site-specific analysis and decision.**

Q – Can the ANF protect potable water sources along the Allegheny River?

**A – Water quality analysis will be site-specifically analyzed and disclosed in the Draft Environmental Impact Statement released in January 2010.**

## **Wildlife**

Q – What happens when (for example) an eagle builds a nest after the analysis is done?

**A – The laws and regulations pertaining to the Endangered Species Act will be applied.**