



Cryptobranchus alleganiensis, the Hellbender

Allegheny Defense Project

Protecting and Restoring the Forests of the Allegheny Bioregion

July 27, 2007

Robert Gleeson
 Pennsylvania Department of Environmental Protection
 Northwest Regional Office
 230 Chestnut Street
 Meadville, PA 16335-3481

Dear Mr. Gleeson,

The Allegheny Defense Project, on behalf of the citizens of the Commonwealth of Pennsylvania who, under Section 27 of the Pennsylvania Constitution are guaranteed the "right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment," and as surface owners of the Allegheny National Forest, files this official objection to the well permit applications submitted by Duhring Resource Company. This objection is filed under the authority of Title 58, Section 601.202 of the Pennsylvania Oil and Gas Act based on the assertion that the well locations violate Section 601.205, "Well Location Restrictions."

The wells in objection are numbered 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, and 7-19. They are located in Lot 7, Sheffield Township, Warren County, within the Sheffield Quadrangle.

Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.¹ The Pennsylvania Department of Environmental Protection is required to consider the impacts of proposed oil and gas wells on public resources including, but not limited to, publicly owned parks, forests, gamelands and wildlife areas; National or State scenic rivers; national natural landmarks; habitats of rare and endangered flora and fauna and other critical communities; and historical and archaeological sites listed on the Federal or State list of historic places.² We believe the issuance of these well permits would directly and irreversibly damage the conservation and maintenance of these public natural resources in the Allegheny, Pennsylvania's only national forest.

This project consists of 13 wells, all of which fall within the High Quality Watershed of the South Branch of Tionesta Creek. Designation as a High Quality Watershed means, under PA Code Section 93.3, "[a] stream or watershed which has excellent quality waters and environmental or other features that require special water quality protection." We believe that the extensive disturbance this development will trigger in the South Branch Tionesta Creek Watershed is inconsistent with the protection outlined in PA Code Section 93.3. This well development threatens the ecological viability of the already overburdened upper Allegheny River watershed - there are

¹ Constitution of the Commonwealth of Pennsylvania, Sec. 27

² 58 P.S. 601.205(c)

already 9,000 active oil and gas wells on the Allegheny National Forest, not to mention the residue of a century of oil and gas development in the region. Furthermore, the DEP is not applying the same protections, under the Clean Water Act and the Clean Streams Law of Pennsylvania, to wetlands on the Allegheny National Forest as it is to projects on private lands in the Northwest Region. Given the DEP and Forest Service's current inability to adequately review, influence, or inspect the current volume of well development in the Allegheny National Forest, we believe that denial of this permit is the only action that ensures the protection of this High Quality Watershed and resource of the citizens of Pennsylvania and the United States of America.

Further, a recent inspection of Duhring's development in the South Branch Tionesta Creek watershed by our organization indicated that Duhring Resource Company does not respect the surface resource owned by the citizens of the United States of America. We have available on our website photographs illustrating this company's negligence, available at this link: <http://picasaweb.google.com/AlleghenyDefenseProject/CherryRunRockRun/>.

If you have any questions, please contact Ryan Talbott, Forest Watch Coordinator of the Allegheny Defense Project, at (814) 221-1408. Written correspondence should be sent to Bill Belitskus at 117 Westwood Lane, Kane, Pa 16736.

Sincerely,

Bill Belitskus
Board President
Allegheny Defense Project