



United States
Department of
Agriculture

Forest
Service

Eastern Region

310 West Wisconsin Ave.
Suite 580
Milwaukee, WI 53203

File Code: 6270-1-1

Date: SEP 13 2001

James Kleissler
Allegheny Defense Project
P.O. Box 245
Clarion, PA 16214

Dear Mr. Kleissler:

This letter responds to your Freedom of Information Act request dated August 15, 2001, and received in the Supervisor's Office of the Allegheny National Forest via fax at 1:45 p.m. on the same date.

Your letter requests the following:

“All documents, records, files (and their contents), photographs, video tapes, surveys, reports, memorandum, applications, letters, notices, notes (electronic, handwritten, or otherwise), meeting minutes, media publications, implementation guidelines, graphs, charts, maps, spreadsheets, maps, plats, phone notes, correspondence with the company, correspondence with the U.S. Forest Service, correspondence with the PA Department of Environmental Protection and U.S. Environmental Protection Agency, correspondence with any other publics, agencies, or corporations, data, and all other documents related to “objections” filed pursuant to Section 202 (a) of the 1984 Pennsylvania Oil and Gas Act (58 P.S. 202) or filed pursuant to Section 78.21 of the Commonwealth's implementing regulations (25 Pa. Code 78.21 (a)). Please be sure to include any and all documents describing the reasons for the objection.”

Approximately 94% of the mineral rights on the Allegheny National Forest are privately owned. It is the practice of the resource managers on the Allegheny National Forest to work closely with the mineral owners and the Pennsylvania Department of Environmental Protection to ensure the owners have appropriate access to their private rights while protecting surface values.

When the analysis of new projects shows that national forest values are protected or the potential for adverse effects can be mitigated, the Forest Service will not object to the State issuing well permits.

Because no objections have been filed from the Allegheny National Forest there are no records responsive to this request.

As no records exist that are responsive to your request, this response constitutes an adverse determination which you may appeal under 5 U.S.C. 552(a)(6)(A)(i). Any appeal must be made in writing to the Chief, USDA Forest Service, P.O. Box 96090, Mail Stop 1143, Washington, DC 20090-6090 within 45 days from the date of this letter. The term "FOIA APPEAL" should be placed in capital letters on the front of the envelope.

Sincerely,



ROBERT T. JACOBS
Regional Forester

cc:
Nadine Pollock/Allegheny NF