



It's May, and signs of spring are everywhere along Salmon Creek in northwest Pennsylvania's Allegheny National Forest. The knobby buds of hardwoods are unfolding into brilliant, lime-green leaves. Wild lilacs and fresh new grasses line the road that follows the creek up the long valley. Cherry blossoms float lazily downstream in shallow pools of crystal-clear water.

It'd be an idyllic scene, except for the dark, heavy smell of oil. And the squat, angular oil rigs resting on freshly cleared pads every 500 feet for miles. I'm touring the area with Ryan Talbot, the forest watch coordinator for the Allegheny Defense Project, a local conservation group.

"There's a pump jack, pumping oil; there's another pump jack. There's an oil and gas road...there's another oil and gas road...another pump jack...here's a tank farm...another pump jack." Talbot rattles off the sights as though I'd miss them otherwise. His point, of course, is that there's oil and gas infrastructure everywhere around Salmon Creek these days, new roads crawling snake-like up the slopes, covering the valley like a spider web.

Talbot grew up in the small town of Marienville in northwestern Pennsylvania, right on the border of the 513,000-acre Allegheny National

Abandoned drilling equipment is a common sight on the Allegheny.

Forest. He loved hiking, fishing and camping, and his favorite spot was Salmon Creek. He was the prom king of his twenty-person senior class in high school, and "had no intention of ever leaving."

But he did leave, for college, and a brief stint working in Ohio. When he returned to the Allegheny in 2000, "I was just blown away. An entire valley

had been...altered. There were oil rigs everywhere."

Oil and gas booms are nothing new to the area—they're older than the national forest itself. Years ago, the primeval eastern hemlock and American beech forest was private land, logged off by the end of the nineteenth century, leaving barren hills and muddy streams as far as the eye could see. In 1911, Congress passed the Weeks Act, which authorized the federal government to purchase denuded forestland in the eastern states. The Allegheny National Forest was established in 1923. The locals mockingly called it the "Allegheny Brush Patch"; no one thought it would ever recover.

But a second-growth forest of sun-loving species like black cherry, red maple, black birch and sugar maple did grow back. By the 1950s the U.S. Forest Service was planning the first black cherry clear-cuts. By the early 1990s black cherry, ideal for furniture and veneer, was selling for astronomical prices: close to \$5,000 for a thousand board feet of the rich,

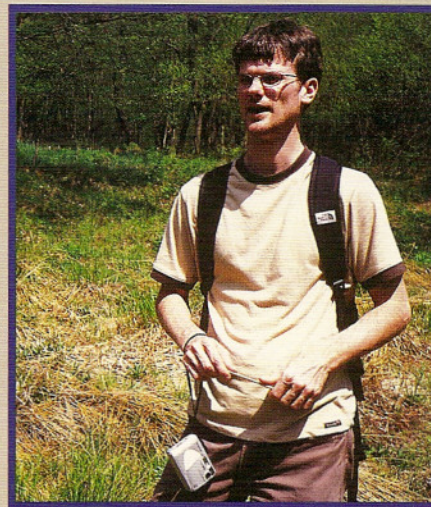
reddish-brown wood. Black cherry harvest eventually declined in the late '90s in the face of falling prices and environmental litigation—just in time for the current oil and gas boom.

To understand how Salmon

Creek could have been overrun by an oil field, it helps to know the unusual history of the Allegheny. When Congress purchased the land eighty years ago, it only purchased the surface. The mineral estate underlying the forest, the enormous caverns of black gold—an uncommon "sweet" crude ideal for refinement into valuable lubricants and wax products—remained the property of oil companies who can, by law, demand and receive "reasonable access" to their underground property.

Pennsylvania law requires oil and gas companies to provide written notice to surface owners—in this case, the Forest Service—before beginning construction of roads and well pads. Upon receiving a notice letter, Forest Service officials say they have no choice but to allow companies to clear forest for roads, well pads, pipelines, tank farms, gravel pits and more.

In the past year, oil and gas companies have been sending notice letters to the Forest Service at a breakneck pace. Natural gas currently sells at \$7.60 for a thousand cubic feet, up



Ryan Talbot claims the agency should exercise its rights as a surface owner.

from \$2 a decade ago. Oil is more than \$60 a barrel, up from \$17 a decade ago.

At the end of 2006, there were 9,000 oil wells in operation on the Allegheny, a third of them drilled since 2000. Seven months into fiscal year 2007, the oil and gas companies have punched in 1,200 new wells. The Allegheny National Forest Plan, completed this year, projects a total of more than 16,000 wells on the forest in fifteen years. With the ink on that document still wet, the Forest Service planners who wrote it say that these estimates are almost certainly too conservative.

According to the Forest Plan, as of 2006, around 10 percent of the 513,000-acre forest has already been cleared to make room for oil and gas developments. Extrapolating the Forest Service's conservative estimates, this means that by the year 2022, almost a fifth of the total forest would be stripped of vegetation and converted to an oil field.

Oil and gas development on the

Allegheny is so rampant that even snowmobilers—long the bane of respectable environmentalists—are starting to sound like Ed Abbey. Karen Atwood has lived her whole life near the Allegheny National Forest

PHOTOS

AND TEXT BY

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Blight ON THE LAND

IS "REASONABLE ACCESS" TO OIL RUINING
AN ENTIRE NATIONAL FOREST?



and can trace her family history in the area back another 150 years. She and her husband spend a good part of every winter riding on the Allegheny Snowmobile Loop, a 114-mile groomed trail that attracts winter sports enthusiasts from all over the Northeast.

Four days after my trip to Salmon Creek, the Atwoods took me to visit the snowmobile loop trailhead closest to their home, by Bucher Mills, on the west side of the forest. What was once a trailhead is now a construction zone, with loggers falling hundred-foot-tall cherry and beech trees; bulldozers follow close behind, their heavy blades pushing aside the stumps to expose chalky loam soil.

Karen is furious. "This is supposed to be a forest," she yells above the din of the machinery, kicking clods of dirt downhill to accent her point. "Not an oil field."

The problem, she explains, is not just the aesthetic impact of the new road grid, with pump jacks stationed every 500 feet. The problem is that the maze of roads will be cleared of snow for access to the pumps during the winter, closing this area, and many more like it along the loop trail, to winter snowmobile use.

As we're talking, one of the bulldozer operators peels away from a freshly created road and drives straight for us, stopping just feet from the sixty-year-old retiree, who stands stock-still. "Who are you?" he growls.

"I'm Karen Atwood," she yells in

"Reasonable access" allows open mining pits, above. Karen Atwood confronts workers, right.



return. "Who are you?" After a heated exchange the bulldozer leaves, and Karen turns to me with the \$64,000 question: "Do you think this is reasonable access?"

If Karen Atwood is furious, then

Jan Burkness is positively apoplectic. Three years ago Burkness, a parole officer, and her husband Bruce, a Lutheran minister, purchased a little slice of heaven on Kinzua Heights, a prime piece of real estate with phenomenal views of the Allegheny River Valley, completely surrounded by national forest land. When they moved in, there was no drilling. Today, oil and gas development have descended on the quiet neighborhood like a biblical plague. Every day the Burknesses awake to the roar of truck traffic and the angry whine of pump jacks. Roads, gravel

pits and well pads have replaced quiet woods as their porch vista.

Jan is driving me around the new roads on her ATV, pointing out the sights—and the used-to-be-sights. "It used to be a beautiful, beautiful, drop-dead beautiful forest. Not any more. That road goes for miles; I could take you down there and it'd be more of the same. People used to camp there—they don't anymore. That's a tree-eating machine, a, um, what do you call it..."

I've never been to an oil field, but I've been to a logging show. "Feller-buncher."

"That's right, a feller-buncher. That's a small one; it mows through these trees, like..." And she makes a sound like a zipper. She sighs and pauses, straining to collect the thoughts that will capture the frustration of

**"DO YOU HAVE PERMISSION TO BLOW HUGE HOLES
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IS THAT THEIR RIGHT?"**

people who appreciate the Allegheny for something other than its oil and gas wealth.

"They say they have rights, they have oil rights, the right to access minerals. But do you have permission to blow huge holes in the ground, do you have the right to put in all these roads, to destroy recreation areas, where people want to hike and camp...is that their right? If I'm a normal person and want to build a building, I have to get a permit to make sure no one else is getting hurt. They can say yes or no depending on how it impacts other people. Not the oil and gas people. They have mineral rights and they can do whatever they want, I guess."

A year ago a Forest Service law enforcement officer knocked on Jan's door, and informed her that a neighborhood dumpster near her driveway was on Forest Service land—without a permit. It would need to be moved, or the neighbors would face a fine. No one moved the dumpster, so the Forest Service called the garbage company, who hauled the dumpster away, leaving Jan and her neighbors without any place to put their garbage. Eventually, the District Ranger determined that the dumpster had actually been on county land, not Forest Service land, and the dumpster was returned.

Jan tells me the story standing

next to a pump jack, which is humming away on a well pad littered with empty beer cans, candy wrappers and spent shotgun shells. "This actually

is Forest Service land. And look at this! The Forest Service is going to go through all that and take away our dumpster; do you think they're going to do anything about this?"



Talbot says the problem is that

"the Forest Service isn't exercising their rights as surface owners." For instance, Pennsylvania's Oil and Gas Act allows surface owners to file objections to the oil and gas development applications that the companies submit to the Department of Environmental Protection.

Since the passage of the Oil and Gas Act in 1984, the Forest Service

Jan Burkness watches a front loader chew through the forest near her home.

WHO'S DOING THE DRILLING?

Some companies involved in the oil and gas business on

the Allegheny National Forest have long histories in their communities, like the Minard Run Oil Company of Bradford, Pennsylvania, which has been owned and operated by the Emery family since 1905. Some have murkier pasts, like Quail Energy, a front corporation for scandal-plagued Russian energy giant Itera.

In June 2007, the Pennsylvania Department of Environmental Protection levied a \$400,000 fine against Stephen and Cynthia Ford of Lakewood, New York, owners of Synd Enterprises and Vertical Resources, two of the largest oil developers on the Allegheny. The huge fine was for repeatedly allowing erosion, sedimentation and discharges into waterways at drilling sites. According to the state agency's spokesperson, Freda Tarbell, these companies "have had chronic, serious violations everywhere they have operated."

As part of a settlement agreement, the Fords will sell their oil and gas assets to Catalyst Energy, which the Department of Environmental Protection says "has the financial resources, skill and ability to operate in compliance with the law."

But according to the agency's webpage, all ten of their inspections of Catalyst found violations, most recently in January 2007, for failing to minimize erosion and sedimentation at well sites.

None of these companies returned phone calls from *Forest Magazine* seeking comment. Steve Rhoads, president of the Pennsylvania Oil and Gas Association, an industry lobbying group, says "the environmental resources for all of the other uses that the Forest Service provides through that forest are intact, and, you know, not being harmed."



An aerial view of the Allegheny reveals a portion of the oil and gas development that is taking place on Pennsylvania's only national forest.

has filed three objections to a total of seventeen wells. All of these objections have come in the past year; most because of visual impacts along the Longhouse National Scenic Byway that traverses the west side of the forest. Driving this section of the byway with Jim Seyler, the acting minerals staff officer for the Allegheny National Forest, I can't help but think the Forest Service is too slow on the draw with its objections. I count twenty-six pump jacks, three tank farms, four large clearings and a dozen new road spurs in the four miles of the byway north of the Allegheny Reservoir.

The recent objections, stresses Seyler, do not represent a more aggressive assertion of the Forest Service's surface-owner rights. It's simply that the explosion of oil and gas development in the past year makes it hard for the agency to "get out and work with the operator up front" on optimal well pad locations.

Seyler has little sympathy for the Burknesses. "If I didn't do my due diligence, I could find myself with a pump jack in my backyard. That's the reality in this state." As we're talking he's driving down one of the many new spur roads coming off the national scenic byway. This one, he notes, has a gravel surface, less prone to erosion than the dirt surfaces that

some of the less responsible operators use for access.

Seyler comes out this way often, but he has no idea how far this particular spur extends into the forest, and seems as curious as I am to find out. The road system these days seems to grow geometrically, and what was an unmarred hillside of hundred-year-old

oak, maple and cherry trees may be a road grid with a dozen well pads on it a week later.

While Talbot, Atwood and Burkness are angry at the here-and-now disruption of their lives and pastimes, Seyler prefers to take the long view. He, like every other person I talk to in the agency or the industry, tells me the story of the Allegheny's rebirth from brush field to vibrant second-growth forest. It is not, for them, just an interesting historical footnote. It's cultural salve for the ugly scars on the forest today. "Some of this forest is on its third rotation, and look at it," Seyler says. "This area has the ability to heal itself."

To underline his point we drive to an abandoned oilfield several drainages over from the new development. There's no smell of oil hanging in the air, no pale, freshly exposed soil. The old road surfaces are a soft bed of new hardwood saplings, ground pine, Indian cucumber and the occasional painted trillium. Branches from the

BYPASSING NEPA

The National Environmental Policy Act of 1969 requires the

U.S. Forest Service to analyze the environmental impacts of land management decisions and disclose those impacts to the public in an environmental impact statement or environmental assessment. NEPA does not apply to oil and gas drilling on the forest, according to the Allegheny National Forest's Jim Seyler, because "NEPA applies to federal action, and this is a private action, happening on private land."

That interpretation is "flat-out false," says Thomas Buchele, director of the Environmental Law Clinic at the University of Pittsburgh. "The fact is that under federal and state laws, maybe they can't stop the oil and gas development, but they can regulate it," he says. "And that requires a specific decision. And that triggers NEPA."

According to notes from a January 2007 meeting between Forest Service officials and lawyers with the Forest Service's Office of General Council obtained under the Freedom of Information Act, at least one proposal to drill in the Allegheny National Recreation Area would require preparation of an environmental assessment, because under the 1911 Weeks Act, the location of roads for mining must be approved by the agency. So far, however, there have been no environmental assessments prepared for any of the oil and gas developments on the Allegheny.

tall trees along the side of the road provide ample shade—the road would be all but invisible from the air.

The area is also littered with rusted old drilling equipment, abandoned when the oil and gas companies moved on to greener pastures fifty years ago. I ask Seyler why they weren't required to remove the stuff. He shrugs. "Probably because someone didn't pick up the phone and tell them to."

Why doesn't the Forest Service pick up the phone now?

"I don't know."

The Allegheny is, in more ways

than one, a very different national forest than any other in the country. Part of it is geographic isolation. It is the only national forest in Pennsylvania, and is located farther away from another national forest than any forest except the Caribbean National Forest in Puerto Rico. In many ways it seems to have more in common with the rural American West than the eastern seaboard.

The Fifth Congressional District (where the Allegheny is located) is sparsely populated and resource-dependent, with politics as conservative as any rural part of Montana, Utah or Arizona. It's the second-largest district east of the Mississippi, represented by Republican John Peterson, who has averaged a 1.8 percent League of Conservation Voters environmental score in six terms in Congress. He is the only member of the Republican Western Caucus who's not actually from the West.

Talbot says the Forest Service is a pushover for the oil and gas industry. Peterson has a far different perspective on the Allegheny's oil and gas staff.

"At a point a year or two ago there was an employee who came in from out of state," Peterson recalls. "He was offended that the forest produces oil and gas, and his personal goal was to stop it. People were bringing their personal beliefs that we shouldn't be producing there."

HIKERS: GO ELSEWHERE

Just 2 percent of the Allegheny National Forest is protected

as federal wilderness. It contains a mere 200 miles of hiking trail. By comparison, the similarly sized Green Mountain National Forest in Vermont and the larger White Mountain National Forest in New Hampshire have 900 and 1,200 miles of trail, respectively. About a quarter of both forests are protected wilderness.

"As a result" of new oil development, reads the new Allegheny National Forest Plan in blunt bureaucratese, "those seeking a more remote and less developed recreation experience could be displaced to other State or National Forests where remote, semi-primitive settings and experiences are more readily available."

As part of the recently completed forest plan, Forest Service recreation specialists prepared an analysis of "most threatened landscapes," which would fall below forest plan guidelines for scenic values because of oil and gas impacts. As mitigation for scenic impacts, the Forest Service proposed to move one trail, close another entirely, and simply "allow time to heal land" in the case of three others.

The problem got solved, he says, through the intervention of his office, which helped bring "an understanding between everyone [about] the laws and what were the rights of producers. In every field there are bureaucrats who try and overstep their bounds."

Kathleen Morse became the forest supervisor on the Allegheny two years ago. Peterson's story about explaining the facts of life on her forest "doesn't ring a bell," but she admits that her perspective on the oil and gas industry has changed since she arrived.

"My favorite thing to do is to be back in the wilderness, to be far away and free," she says, recalling her last assignment on the recreation-focused Inyo National Forest in the Sierra Nevadas. "And I come to the Allegheny and I'm faced with these circumstances, the way the land was acquired and those decisions that were made. My first reaction is that this can't be right. But the more I learn, the more I come to appreciate this is the reality of the situation. Even so, it's still sometimes hard to see it. But I accept it."

The Allegheny has received a larger budget to help manage the explosion

of oil and gas development, and plans to ask for still more. Morse is putting a good face on "the situation." She is upbeat and confident that she "can make a difference."

"It's a very difficult situation to operate in," she admits toward the end of our conversation. "Of all places, at this time, to have the split estate, to have the oil prices what they are....It's the perfect conditions for the perfect storm, and that's what we're living through right now."

This storm, the current oil boom, will pass—perhaps soon, perhaps not for a long time. If alternative, clean energy sources succeed in capturing enough of the oil and gas market maybe this will be the last oil and gas boom, and the forest can recover once again, this time for good.

If not, geologists say there are huge, undeveloped, deep oil and gas deposits beneath the shallow deposits currently being exploited. Test-drilling into these reserves is scheduled for this year.

It may be a long time before the Forest Service—and the public—gets its forest back. ■