

Fracking Ohio state parks, wildlife areas delayed as state board defers decision

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COLUMBUS, Ohio – The state on Monday delayed its decision on opening two state parks and two protected wildlife areas to oil and gas exploration, the final step before industry players can bid for leasing rights to minerals trapped underground.

It marks a win, if temporary, for the dozens of protesters who attended the combative and sometime raucous hearing of the Ohio Oil and Gas Land Management Commission over the mineral rights to Salt Fork State Park, Wolf Run State Park, Valley Run Wildlife Area, and Zepernick Wildlife Area. The commission will gather again at a future meeting, not yet scheduled, to decide whether to open those areas to bidders.

The decision came as protesters urged the state to reject the nominations and after [Cleveland.com and The Plain Dealer and an environmental group](#) uncovered scores of [people who say they didn't knowingly authorize pro-fracking letters](#) submitted to the state in their name.

Monday's proceedings unraveled as the commissioners struggled over how to adopt land protections recommended by the Ohio Department of Natural Resources, whether and how to solicit more stakeholder feedback on those changes, and similarly niche issues.

However, the commission signaled a gung-ho attitude toward opening the lands to drilling. Chairwoman Ryan Richardson referred to the board's authority as "somewhat limited" in terms of when and why it could reject a drilling request. At one point, Jim McGregor, a commissioner appointed to represent conservation interests, said it's about time to start breaking ground under the parks.

"It just seems like this 2011 law deserves to be put in place," he said.

The commission's work has been accelerated by a new law enacted by Republicans late last year that forced the state's largely non-existent land leasing program, established by Republicans in 2011, into effect. However, the commission under Govs. John Kasich and Mike DeWine failed to roll out administrative rules to implement the 2011 law, effectively blocking any drilling in parks.

The crowd at Monday's meeting overwhelmingly opposed fracking on state lands. At points, tension grew between state officials and activists.

“Why would you do this? Shame on all of you,” a voice yelled from the crowd.

Commissioner Stephen Buehrer, who represents real estate interests on the commission, responded, as Richardson threatened to eject protesters.

“We’re trying to conduct the state’s business here,” he said.

The commission hasn’t yet announced its next meeting. By statute, it must decide on the nominations within roughly 60 days. While the commission delayed ruling on the state lands owned by the Department of Natural Resources, it granted a handful of applications to drill under land (roadways) owned by the Department of Transportation.

Who wrote the comments?

One issue hanging over the meeting were the at least 150 pro-fracking public comments identified by Cleveland.com and Save Ohio Parks sent in the names of citizens who say they never knowingly allowed anyone to use their names, addresses, email accounts or phone numbers on pro-fracking commentary.

Richardson opened the meeting by acknowledging the comments, confirming that the OGLMC was made aware of the apparently misattributed identities in July. She said she shared the information with the attorney general’s office, but later said the OGLMC didn’t take any other investigative steps.

Attorney General Dave Yost [pledged to investigate the matter after Cleveland.com and The Plain Dealer reported out its findings](#). Yost, through a spokesman, didn’t immediately respond to an inquiry about the claim his office was warned of the issue in July.

She said the commission has no authority or ability to investigate what happened and its job is “somewhat limited.” She seemed to make reference to demands from Save Ohio Parks, a grassroots organization that first noticed irregularities in the public comments, that the commission respond by rejecting the lease nominations.

“[The General Assembly] has determined through these policies that these state lands will be opened up for potential leasing,” she said. “I don’t believe we have the authority today as a commission to decide whether that will be allowed generally.”

State law requires the commission to consider the public comments, among another handful of factors like current land uses or economics, when considering whether to approve the lease nominations.

No other commissioners weighed in substantively on the matter. They did so amid a sea of signs with text like “strike fake comments” and “I am a real person” and “they knew in July” in the crowd.

It remains unclear how the OGLMC will proceed with the public record. As of Monday, comments from several of those identified by name in media reports insisting their personal information was used without their knowing consent on the pro-fracking letters is still online on the commission's website.