

Environmentalists sue to block fracking in state parks, wildlife areas

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COLUMBUS, Ohio – Several environmental organizations announced a lawsuit Thursday seeking to block state approval of fracking for oil and gas in a state park and two protected wildlife areas.

The lawsuit in the Franklin County Court of Common Pleas asks the court to review the Oil and Gas Land Management Commission's decision to [approve seven requests to open tracts spanning thousands of acres for fracking](#) at Salt Fork in Guernsey County, plus smaller swaths of Valley Run Wildlife Area in Carroll County and Zepernick Wildlife Area in Columbiana County. It was brought by the Ohio Environmental Council, Save Ohio Parks, Buckeye Environmental Network, and Backcountry Hunters & Anglers.

The OGLMC's decisions came with little to no explanation at a chaotic meeting that was at times overtaken by organizers critical of the notion of allowing drilling underneath pristine lands previously shielded from development. The commissioners ultimately voted for some of the nominations with their words inaudible over chants from the crowd.

The lawsuit, a draft of which was shared on request, is a bare bones page and a half. It generally argues that the OGLMC failed to consider nine factors required by state law, including current land use and economics, and provided no opportunity for a public hearing, although Ohioans had the opportunity to submit written comments.

This is the second lawsuit filed in the arena. Some of the same plaintiffs have previously challenged the state law enacted this year that effectively force-started the OGLMC's leasing process. The lawsuit, alleging lawmakers shirked certain procedural requirements under the Ohio Constitution, is ongoing but a judge [denied early requests to freeze the law before a trial](#).

Ohio lawmakers in 2011 first passed a law allowing state agencies to lease lands to drillers, but inaction from Govs. John Kasich and Mike DeWine rendered the program dormant. Last year, in the waning moments of the two-year legislative session, lawmakers retooled a bill originally focused on poultry sales to force the OGLMC to accept any request it receives to frack state lands until it rolls out its administrative rules required to implement the program. That law also [legally redefined natural gas as “green energy,”](#) even though it’s a fossil fuel that contributes to global warming.

The Ohio Environmental Council and others challenged that law. The industry, meanwhile, opted to hold off on requesting drilling rights until later in the year when the OGLMC enacted a set of rules to control the process.

The OGLMC is set to launch a bidding process for the seven parcels in January. It’s unclear how, or whether, either lawsuit will affect that timeline. State law shields the identities of the companies requesting drilling rights. Their names and dollar value of the offers only becomes public after a bid is accepted. As was previously reported, Houston-based Encino Energy previously offered the state an estimated, nearly \$2 billion over roughly 15 years for drilling rights under Salt Fork, although the offer expired.

This article was corrected to reflect where the lawsuit was filed.