



**LEAGUE OF WOMEN VOTERS®
OF OHIO**

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LWVO Testimony
HB49 – Biennial Budget
Senate Finance General Government and Agency Review Subcommittee
Peggy Berry – Environment Specialist
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This statement of the League of Women Voters of Ohio opposition to HB49 is solely confined to Sections 1509.71 and 3742.04. Other League issue specialists will likely address other areas of concern in HB49

Section 1509.71 allows oil and gas drilling in state and local parks by stating “It is the policy of the state to provide access to and support the exploration for, development of, and production of oil and natural gas resources owned or controlled by the state to use the state's natural resources responsibly.” HB49 provides a mechanism for filling seats on the Oil and Gas Leasing Commission, since none has ever been filled and there has been no drilling in state parks.

The League of Women Voters of Ohio disagrees with the premise of Section 1509.71 and urge its repeal. Despoiling parks for the benefit of special interests is not a responsible use of natural resources. Parks are owned by all Ohioans and have been set aside for purposes of education, reflection, recreation and enjoyment. A discussion of the negative effects of drilling in a Pennsylvania park is appended to this testimony. The impact to this and other parks can be found in References 1 and 2. Pennsylvania has since stopped issuing drilling leases for parks.

To compound the problem, the legislation does not give Ohioans just benefit for the fuels extracted. HB49 allows extraction of our natural resources be recompensed by a miniscule severance tax. Ohio will not only lose natural areas but will be paid a pittance for the loss. The cost of cleanup, as well as ground water contamination, obscures any profit to be had. Regulators have confirmed at least 260 instances of private well contamination in Pennsylvania alone and Wayne National Forest experienced its first 3.0 earthquake surrounded by four wastewater injection wells (Reference 3).

This is not what we want in Ohio. Again, we recommend repeal of ORC1509.71. The Ohio League of Women Votes believes that oil wells do not belong in our state parks!

Current law also allows the state to license drilling in municipal parks, which should be under local control. The second issue in this testimony concerns another uncalled-for weakening of home rule.

Section 3742.04 removes authority to control lead in paint from local jurisdictions and assigns exclusive lead abatement authority to the Ohio Department of Health. The reasons for this change are unclear. The sponsor did not cite any evidence that local authorities are doing a bad job. . There is evidence that local control is an effective means for lead abatement, as reported in Reference 4.

We understand the Senator Brown is introducing an amendment to restore local control. We urge you to support her efforts.

References:

- (1) <https://thinkprogress.org/new-report-details-how-national-parks-are-threatened-by-oil-and-gas-drilling-bbb923f3b8ea>
- (2) <http://tinyurl.com/HB49-1509A>
- (3) <http://tinyurl.com/HB49-1509B>
- (4) Korfmacher KS, Hanley ML. Are local laws the key to ending childhood lead poisoning? *Journal of Health Politics, Policy and Law*. 2013;38(4):757-813; Korfmacher KS, Ayoob M, Morley R. Rochester's lead law: Evaluation of a local environmental health policy innovation. *Environmental Health Perspectives*



Bob Donnan

Cross Creek County Park is located in southwestern Pennsylvania's Washington County, not far from the West Virginia border. It is the largest park in Washington County's park system, and came about after decades of planning between county and township officials from six municipalities.³⁵

Cross Creek County Park consists of 3,000 acres, including a 258 acre lake with 8 miles of shoreline. Fishing is considered one of the park's highlights, but Cross Creek also offers picnic shelters and tables, and well as hiking trails and hunting opportunities. The park is home to various species of panfish species including sunfish and crappie, as well as bountiful bass populations—Cross Creek Lake has one of the densest large-

mouth bass populations in the Commonwealth.³⁶

Cross Creek Lake is also part of a "special protection watershed" since its waterways are considered to be of exceptional value.³⁷

Despite all this, Cross Creek County Park has been opened up for fracking, which shockingly occurs within the parks borders, as well as around the periphery of Cross Creek's borders.³⁸ Since drilling began in 2008, 22 wells have been drilled within the park, with forestland cleared for gas well pads, impoundment pits, and roads.

35 Washington County Official Website, Parks and Recreations, <http://www.co.washington.pa.us/index.aspx?nid=164> (last visited September 15, 2014).

36 Cross Creek Lake, Pennsylvania Fish and Boat Commission Biologist Reports, http://fishandboat.com/images/fisheries/afm/2007/8x07_12cross.htm (last visited September 15, 2014).

37 Seeps, Leaks, & Spills, Marcellus Shale US, http://www.marcellus-shale.us/seeps_leaks_spills.htm#WASHINGTON_COUNTY4 (last visited September 15, 2014).

38 StateImpact PA Cross Creek Municipality Well Listings <http://stateimpact.npr.org/pennsylvania/drilling/municipalities/cross-creek-township-municipality/> (last visited September 15, 2014).