

Interested Party Testimony – House Bill 96

April 8, 2025

Ohio House Finance Committee

Chair Stewart, Vice Chair Dovilla, Ranking Member Sweeney, and Members of the House Finance Committee,

Thank you for the opportunity to give Interested Party testimony on House Bill 96, the state budget bill that will create the Ohio operating appropriations for 2025-26.

My name is Cathy Becker, and today I am testifying on behalf of Save Ohio Parks, a 501(c)(4) social welfare organization founded by Ohio citizens concerned about fracking of our state parks, wildlife areas, and public lands.

The state budget bill is the largest and most comprehensive bill to come before the legislature this year, and there is no way one person can address the entire bill. My testimony is in regard to several provisions added to the bill in the House Natural Resources Committee. Save Ohio Parks opposes all of these provisions and asks that you remove them from HB 96. These provisions are designed to speed up fracking of our public lands while further profiting the oil and gas companies doing the fracking.

DNRCD26

- Requires the standard oil and gas lease used by state agencies to include an option to extend the primary term of the lease for an additional five instead of three years by tendering to the state agency the same bonus paid when first entering into the lease.

It makes no sense to add another five years to a lease to frack public land that is already five years, thanks to House Bill 308. This would make these leases 10 years long. Fracking wells rarely last that long – for most wells, production drops significantly after only a few years. Further, these are leases to frack public lands. Renters have to renew their apartment leases every year. Why shouldn't oil and gas companies renew their leases to frack land paid for and owned by the citizens of Ohio at least every five years?

DNRCD29

- Requires a state agency, when entering into a lease with a person for the exploration and development of oil and gas on state-owned land, to fully execute the lease within 30 days after the Oil and Gas Land Management Commission selects the person with the highest and best bid.
- Prohibits a state agency and the Commission from requiring any additional fee that is not specifically authorized or required from a person bidding or entering into a lease to explore and develop oil and gas on state-owned land.

Requiring the Ohio Department of Natural Resources to fully execute a lease to frack public land within 30 days of the bid being selected is an unreasonable fast-tracking of the process. Typically ODNR adds 20 to 25 addendums to these leases. The reason is, these are our Ohio state parks and wildlife areas – pristine natural spaces owned by the public – and they need to be protected.

For example, here are the addendums for 23-DNR-0007, to frack Salt Fork State Park:

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| 1. No vertical well pad may be located within 500ft from any facility, calculated from edge of well pad. |
| 2. No horizontal well pad may be located within 1000ft from any facility, calculated from edge or well pad. |
| 3. Before starting well pad construction, Lessee must submit a plan to the ODNR and Office of Real Estate and Land Management addressing the aesthetic impacts of the well site visible from the boundaries. |
| 4. The lessee must test all water sources within 3,000 feet of any well before drilling and again 60–90 days after completion. |
| 5. Lessee is responsible for damage, disturbance, contamination, or injury to any groundwater on the premise, and shall correct any damage at their own costs. |
| 6. The lease includes environmental protections for freshwater impoundments and liners. The lessee cannot dig pits on the leased land. |
| 7. Secondary containment must be used during all operational phases to contain harmful substances and prevent environmental contamination. Stormwater must be removed before reducing containment volume by 10%. Materials used must be impervious and chemically compatible. |
| 8. Volume of secondary containment: 110% of largest single primary containment capacity or total capacity of multiple primary containments piped together (whichever is greater) |
| 9. Lessee shall provide ODNR with the plan for secondary containment prior to start of construction. |
| 10. Lessee and their contracts, successors, assigns, etc are prohibited from using any roadways within the limits of Salt Fork State Park as specifically designated by ODNR. |
| 11. Lessee will provide the ODNR maps identifying its anticipated access to well pads prior to commencement of drilling for units in which at least a portion of the Leased Premises are included. |
| 12. Must conduct a third-party sound study if the pad is located less than 2000ft from any boundary. |
| 13. Lessee shall use best efforts to limit sound pollution during drilling and completion activities. |
| 14. Once a well is in the production phase, lessee shall use best efforts to limit light pollution. |

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| 15. ODNR shall have the right to approve plans for permanent lighting at the production pad, which approval may not be unreasonably withheld or delayed. |
| 16. Lessee shall consult ODNR, Office of Real Estate and Land Management, and the State Historic Preservation Office to mitigate impacts on cemeteries when they are within the viewshed of the proposed well site. |
| 17. Lessee shall use all efforts/practices to minimize the impact on the viewshed of the areas in and around Salt Fork State Park. |
| 18. Lessee shall not conduct any construction, drilling or completion during April 20-May 1 and November 15-December 1. |
| 19. Lessee shall provide ODNR, Office of Real Estate and Land Management with a monthly construction/operation schedule during construction, drilling, and completion phase. |
| 20. Lessee must provide written emergency response plan. |
| 21. Lessee shall provide ODNR, Office of Real Estate and Land Management with specific plans for notification in the event of an emergency. |
| 22. New steel shall be used in well casings to isolate fracking zones from aquifers at shallower depths. |
| 23. Must pay 5.5% of Oil and Gas produced from Leased Premise. |

These addendums are the bare minimum to protect Salt Fork State Park, a 20,000-acre park that is the crown jewel of the Ohio state park system, from the toxic and industrial process of fracking. If you have not been to Salt Fork State Park, I urge you to visit and see treasures like Hosak's Cave, the Kennedy Stone House, and the state's longest inland beach for yourself. You can also see the effects of fracking as well pads are now next to the park – the light, noise, truck traffic, and more. ODNR may have needed more than 30 days to work out each of these stipulations with the bidder. If they had not, the effects of fracking happening now next to the park would have been even worse. Fast-tracking fracking of our parks and wildlife areas will only make this worse for future fracking of public lands.

Similarly, prohibiting ODNR or the Ohio Department of Transportation from requiring any additional fees ties the hands of the state in case of an accident or incident at a well pad near public land. On January 2, a storage container exploded at a Gulfport well pad just 5.7 miles from Salt Fork State Park. Roads were closed and people in the area had to be evacuated. The fire was too hot for the fire department to extinguish, so they let it burn for 18 hours. It produced a thick plume of black smoke, which no one tested for toxins.

As it turns out, Gulfport had previously signed a \$3.7 million consent decree with the federal EPA regarding operations at 17 well pads in Ohio – including the one where the explosion took place. It would be only fair to ask Gulfport to pay for the emergency response and cleanup. But if something like this incident happened even closer to Salt Fork

or another park or wildlife area, this provision would prevent the state from charging the party responsible. Instead, taxpayers would have to pay for response and cleanup.

The wishes of Ohioans around fracking our state parks, wildlife areas, and public lands are clear. We are not allowed to speak at meetings of the Oil and Gas Land Management Commission, but we do submit public comments. Hundreds of public comments are submitted for every nomination of a state park or wildlife area. Almost all of these comments oppose fracking. For example, the last four nominations of parks and wildlife areas received a total of 923 comments combined. Of those, only one was in support of fracking these lands. 922 of 923 comments – 99.9% -- were opposed.

The Oil and Gas Land Management Commission is required by ORC 155.33 (B)(1) to consider nine factors in its decisions on whether to approve or deny nominations to frack public land. One of those nine factors is, “Any comments or objections to the nomination submitted to the commission by residents of this state or other users of the parcel of land that is the subject of the nomination.”

As mentioned, every nomination of a park or wildlife area receives hundreds of public comments, almost entire opposed. Yet the commission has never discussed the public comments. We don’t know if the commissioners even read them. Nor are we allowed to speak in their meetings. These meetings typically last 10 to 15 minutes, where without discussion they rubber stamp fracking of our most precious public lands.

With the process we have witnessed over the past two years, Ohio’s parks and wildlife areas are already being fast-tracked for fracking. They are already being sold to the highest bidder for the profits of the oil and gas industry.

We do not need to add the provisions listed above on top of the fracking that is already being done to our parks and wildlife areas. Please remove these provisions from HB 96.

Thank you, and I will try to answer any questions.