



Protecting Ohio's native forests and their inhabitants

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Chairman Lamborn, Ranking Member Holt, and Members of the Subcommittee, thank you and good morning.

My name is Nathan Johnson. I am the staff attorney for the Buckeye Forest Council, a 501(c)(3) public interest organization. I speak on behalf of Buckeye Forest Council today. The Buckeye Forest Council (BFC) is a membership-based, grassroots organization dedicated to protecting Ohio’s native forests and their inhabitants. We seek to instill in Ohioans a sense of personal connection to and responsibility for Ohio's native forests and to challenge the exploitation of land, wildlife and people.

I am here today to remark on the need for adequate analysis of deep shale development on Ohio’s public lands and for adequate health and environmental safety standards regarding the same. Ohioans want jobs, but we want healthy families and a clean environment, too. There is nothing incompatible about jobs and adequate protection.

However, Ohio currently lacks adequate health and safety standards to protect the public and our land from the potential water, soil, and air pollution generated by a rapidly growing shale industry in the state. For example, Ohio law does not require any pre-drilling water testing or water monitoring requirements in rural areas. Ohio law allows shale gas drilling sites to store toxic wastewater in open pits with no fencing. These pits attract and kill wildlife, including large numbers of bats and birds. Nothing in Ohio law prevents the burial of contaminated drill cuttings on site, and Ohio law allows highly toxic oil and gas field waste to be spread on community roads for dust and ice control.

Ohio is 7th in the nation in population, but a mere 47th in public lands available per capita. The Wayne National Forest, of which large portions are located in Athens County, is Ohio’s only national forest. This past October, BFC formally protested the Bureau of Land Management’s proposed lease sale of 3,302 acres of the Wayne National Forest for oil and gas drilling. Joining us in protest of the sale were Athens City Council, Athens City Government, Athens County Commissioners, Ohio University, the Burr Oak Regional Water District, and several concerned

organizations and local residents. A copy of BFC's formal protest has been submitted to the Subcommittee.

From BFC's perspective, the reasons for the protest were simple. Some of the flaws in Ohio's regulatory structure have already been noted. Moreover, the Forest Service and the BLM would have violated federal law had the sale proceeded. Federal law requires that both Forest Service and BLM rely upon up-to-date environmental impact analyses prior to proceeding with an oil and gas lease sale on Forest Service land. However, neither Forest Service nor BLM had given any consideration to the potential impacts that high volume horizontal hydraulic shale development could have on the Wayne. In fact, the 2006 environmental review documents that Forest Service and BLM relied upon as justification for the proposed sale expressly stated that horizontal drilling was not considered because it was deemed economically infeasible for the Wayne at the time. The need for updated analysis was therefore plainly necessary, as shale drilling comes with a much larger footprint than conventional forms of oil and gas extraction: larger drilling pads, considerably more truck traffic, and exponentially more freshwater use and wastewater generation, etc.

Subsequent to the submission of protests, the Forest Service recognized that high volume horizontal shale development had never been considered or analyzed for the Wayne. Forest Service withdrew the consent it had given to BLM to proceed with the sale based on that fact. The Forest Service is currently undertaking a review of new information relating to the potential positive and negative impacts of shale development on the Wayne.

The need for compliance with federal law and the weaknesses of Ohio state law necessitated the lease sale cancellation. However, improving Ohio's oil and gas safety standards should be low-hanging fruit for the Ohio General Assembly. Jobs and adequate safety standards are not mutually exclusive. Improved safety and environmental requirements would be easily absorbed by the industry, and in many cases should save the industry significant sums of money.

Lastly, some additional context regarding shale industry jobs potential in Ohio is warranted. While the shale industry is likely to generate new jobs for Ohio, the jobs figures projected by industry are grossly inflated. Industry commonly touts some 200,000 new Ohio jobs. However, Ohio State University researchers recently found that such figures are deeply flawed, and that a figure close to 20,000 total new jobs (both directly and indirectly created) is far more likely. Moreover, the 20,000 jobs figure does not take into account potential losses the tourism sector – a much larger employer than oil and gas – may incur as a result of oil and gas development.

Thank you.

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