

**IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO**

Save Ohio Parks	:	
P.O. Box 152	:	
Athens, Ohio 45701-0152,	:	
	:	
Buckeye Environmental Network	:	Case No. _____
P.O. Box 82314	:	
Columbus, Ohio 43202,	:	
	:	
Backcountry Hunters & Anglers	:	
1124 Raintree Drive,	:	
Milford, Ohio 45150,	:	
	:	
Ohio Environmental Council	:	
1145 Chesapeake Ave., Suite 1	:	
Columbus, OH 43212,	:	
	:	
Appellants,	:	
	:	
-vs-	:	
	:	
Oil & Gas Land Management Commission,	:	
2045 Morse Rd., Bldg. D3	:	
Columbus, OH 43229	:	
	:	
Appellee.	:	
	:	

NOTICE OF APPEAL

Notice is hereby given that Save Ohio Parks, Buckeye Environmental Network, Backcountry Hunters & Anglers, and Ohio Environmental Council (“Appellants”) pursuant to R.C. 119.12 hereby appeal adjudicative orders by the Oil and Gas Land Management Commission (“Commission” or “Appellee”) approving public land nomination nos. 23-DNR-0001, 23-DNR-0002, 23-DNR-0003, 23-DNR-0004, 23-DNR-0005, 23-DNR-0006, and 23-DNR-0007 for oil and gas development (collectively, “Orders”).

By an oral vote on November 15, 2023, the Commission approved the following nominations for lands owned by the Ohio Department of Natural Resources to be leased for oil and gas development:

- 23-DNR-0001, comprising parcels in Valley Run Wildlife Area in Carroll County
- 23-DNR-0002, comprising parcels in Valley Run Wildlife Area in Carroll County
- 23-DNR-0003, comprising parcels in Valley Run Wildlife Area in Carroll County
- 23-DNR-0004, comprising parcels in Zepernick Wildlife Area in Columbiana County
- 23-DNR-0005, comprising parcels in Salt Fork State Park in Guernsey County
- 23-DNR-0006, comprising parcels in Salt Fork State Park in Guernsey County
- 23-DNR-0007, comprising parcels in Salt Fork State Park in Guernsey County

Appellants appeal these Orders on the following grounds:

1. The Orders approving the above listed nominations for oil and gas leasing are not supported by reliable, probative, and substantial evidence and are not in accordance with law.
2. The Commission did not consider the nine statutory factors enumerated in R.C. 155.33(B)(1) as required by Ohio state law, including but not limited to, R.C. 155.33 and Ohio's Open Meeting Act.
3. The Commission provided no opportunity for a hearing as required by Chapter 119 of the Ohio Revised Code, including R.C. 119.06 and R.C. 119.07.
4. The Commission improperly relied on extra-statutory considerations in issuing the Orders.
5. Such other grounds for appeal and errors as may be included in Appellants' further briefing.

This Court has jurisdiction over this matter pursuant to R.C. 119.12 because the Commission is an agency that issued the Orders pursuant to an adjudication under Chapter 119

of the Revised Code, including R.C. 119.01 and R.C. 119.12. Venue is proper pursuant to R.C. 119.12(B)(6).

Respectfully submitted this 30th day of November, 2023 by,

/s/ Megan M. Hunter

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Ohio Environmental Council

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*Counsel for Appellant Ohio Environmental
Council*

CERTIFICATE OF FILING

I, Megan Hunter, certify that, pursuant to R.C. 119.12(D), a copy of the above referenced Notice of Appeal was filed with the Oil and Gas Management Commission on this 30th day of November 2023 by hand delivery to 2045 Morse Rd., Bldg. D3, Columbus, OH 43229. Filing with the Commission was also made via electronic mail to Commission Clerk Nathan Moffitt at Commission.Clerk@oglmc.ohio.gov.

/s/ Megan M. Hunter

Megan M. Hunter (Ohio Bar No. 96035)

From: Rodney L VanBrimmer II <notifications@mail.servemanager.com>
Sent: Thursday, November 30, 2023 10:42 AM
To: Claire Huebler <chuebler@earthjustice.org>
Subject: [ServeManager] Job #10006386 Served

External Sender

Served

Rodney L. VanBrimmer II shared a service notification with you:

Details

Process Server: Rodney L. VanBrimmer II

Date & Time: Nov 30, 2023, 1:39 pm EST

Service Type: Government Agency

Description of Service:

Kim Barridge program coordinator for the state of Ohio Department of Natural Resources accepted the documents on behalf of Ryan Richardson and had Ryan sign my field sheet and brought it back down.

I did not witness Ryan's signature.

Recipient

Recipient: Kim Barridge presented to Ryan Richardson for signature.

Description of Recipient:

Service Address

2045 Morse Rd., Bldg. D3, Columbus, OH 43229

GPS Data

Mobile Device: Chrome version 119 on Android 10

GPS Coordinates: [40.0558123, -82.9661194](#)

GPS Timestamp: 1701369564055

Job & Case

Job: 10006386

Priority: Rush

Job Type: Standard

Due Date: Nov 30, 2023

Recipient: Ryan Richardson

Case: [not provided]

Plaintiff: Save Ohio Parks, Buckeye Environmental Network, Backcountry Hunters & Anglers, and Ohio Environmental Council

Defendant: Oil and Gas Land Management Commission

Court: The Court of Common Pleas

County: Franklin

Documents: Notice of Appeal to Court re OH Leasing Appeal - To File with Agency.pdf

Attempt Uploads

- [20231130_132124_-Morse-Road-Columbus,-Franklin-County-43229.jpg \(2.53 MB\)](#)
 - [20231130_132102_-Morse-Road-Columbus,-Franklin-County-43229.jpg \(5.97 MB\)](#)
 - [20231130_131559_-Morse-Road-Service-Road-Columbus,-Franklin-County-43224.jpg \(3.48 MB\)](#)
 - [20231130_133421_-Morse-Road-Columbus,-Franklin-County-43229.jpg \(2.98 MB\)](#)
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Shared with you by:

Rodney L. VanBrimmer II
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740-936-ROCK (7625)