

RESOLUTION REGARDING HYDRAULIC FRACTURING

WHEREAS, hydraulic fracturing, or “fracking,” is a method of extracting natural gas that involves the injecting, at an extremely high pressure, a mixture of water, sand, and toxic chemicals to break up shale or other rock formations otherwise impermeable to the flow of natural gas; and

WHEREAS, North Carolina does not currently allow either horizontal drilling or hydraulic fracturing, and the current North Carolina study of in-state shale gas resources and of the potential impacts of reversing this ban and allowing drilling and fracking to extract these resources was undertaken with insufficient time and without adequate funding; and

WHEREAS, explored areas of the Triassic Basin and the Deep River Basin, which includes areas under Jordan Lake, have been identified as containing underground deposits of natural gas; and

WHEREAS, Jordan Lake water is becoming more significant for planning in the Triangle area, and serves as a potential water supply for conditions of extreme drought for Durham and its neighboring jurisdictions; and

WHEREAS, millions of gallons of freshwater are used to drill and to hydraulically fracture each shale gas well, and such development would exacerbate water shortages that have stemmed from North Carolina’s recent severe droughts; and

WHEREAS, the wastewater produced from hydraulic fracturing includes carcinogenic, corrosive, and/or toxic salts, metals, petrochemicals and radioactive elements; and

WHEREAS, there are currently no viable options for the disposal of toxic hydraulic fracturing wastewater, and North Carolina’s wastewater treatment plants are not equipped to handle the extreme and highly-variable contaminant loads of hydraulic fracturing wastewater; and

WHEREAS, negative environmental and public health impacts related to hydraulic fracturing have been documented in other states, including the contamination of drinking water wells, the contamination of surface waters, and the degradation of air-quality; and

WHEREAS, hydraulic fracturing can industrialize both rural and urban areas with drilling rigs, new roads, containment ponds, new pipelines, and other infrastructure, with incumbent air, water, and noise pollution that can be detrimental to health, property values, and future economic growth; and

WHEREAS, the long-term economic impact from the boom and bust cycle of extractive industries, such as shale gas development, results in a legacy of decreased economic diversity, increased income disparity, and environmental pollution; and

WHEREAS, extensive hydraulic fracturing can negatively affect the housing of Durham citizens, including confusion about property valuations, uncertainty about mineral rights, and increased rental costs for low-income renters, and

WHEREAS, local governments will incur increased costs for services such as regulatory compliance monitoring, maintenance of roads and bridges, and increased policing and other social services, and

WHEREAS, local governments should retain their ability, through zoning and its general police power, to assure that hydraulic fracturing, if legally authorized and feasible, is performed in a manner that minimizes negative impacts to local communities; and

WHEREAS, Section 5 of the North Carolina Constitution states that “It shall be the policy of the State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions...to control and limit the pollution of our air and water...and in every other appropriate way to preserve as part of our common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty”; and

WHEREAS, the City and County’s Environmental Affairs Board, at the Council’s request, spent a number of months researching the myriad issues related to hydraulic fracturing in Durham and the region, and prepared an informative report about the practice and potential impact of fracking; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Durham urges the North Carolina General Assembly to maintain the current laws in North Carolina that prevent hydraulic fracturing and horizontal drilling in the State and to take no action that would weaken these laws before it is fully demonstrated that North Carolina public health, waters, land, air, economy, and quality of life will be guaranteed protection from the impacts of allowing shale gas development in the state.

BE IT FURTHER RESOLVED that the Council expresses its sincere gratitude to the Environmental Affairs Board for its thoroughly researched and well written report.

BE IT FURTHER RESOLVED that copies of this resolution are sent to Durham’s legislative delegation and to the leadership of the North Carolina General Assembly.

Respectfully submitted,
Mike Woodard
April 19, 2012