

PROPOSED

1 RESOLUTION NO. 2019-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 OPPOSING EXTREME WELL STIMULATION IN THE
5 STATE OF FLORIDA; URGING THE FLORIDA
6 LEGISLATURE TO PROHIBIT THE USE OF SUCH
7 MEASURES; OPPOSING LEGISLATION PREEMPTING
8 THE COUNTY'S ABILITY TO REGULATE OIL AND GAS
9 DEVELOPMENT AND EXTRACTION WITHIN ITS
10 BORDERS; PROVIDING FOR THE TRANSMISSION OF
11 THE RESOLUTION; AND PROVIDING FOR SEVERABILITY
12 AND AN EFFECTIVE DATE.

13 (Sponsored by Commissioner Beam Furr)

14 WHEREAS, Broward County has demonstrated a decades-long commitment to
15 protection of the environment with a strong focus on local and regional water resources;

16 WHEREAS, clean water is fundamental to the health of Florida's residents,
17 environment, and economy;

18 WHEREAS, public and private water utilities across Broward County rely entirely
19 upon groundwater sources, including the Biscayne and Floridan Aquifers, for potable
20 water supplies;

21 WHEREAS, Senate Bill 314 ("SB 314") and House Bill 239 ("HB 239") would
22 prohibit in the State of Florida all "advanced well stimulation treatment," including all
23 stages of a well intervention performed by injecting fluids into a rock formation, except for
24 routine well maintenance;

WHEREAS, SB 314 and HB 239 have been filed for consideration during the 2019
session of the Florida Legislature by Senator Bill Montford (D – Tallahassee) and
Representative Heather Fitzenhagen (R – Ft. Myers), respectively;

1 WHEREAS, in November 2018, Florida voters approved Constitutional
2 Amendment 9 with nearly seventy percent (70%) of the vote, prohibiting offshore oil and
3 gas drilling in the State's coastal waters;

4 WHEREAS, extreme well stimulation such as hydraulic and acid fracturing (also
5 known as "fracking") is the process of pumping a complex mix of fluids and chemicals,
6 including large volumes of water, under very high pressure into or below the surface of
7 the ground to create fractures in oil- or gas-bearing geologic formations for the purpose
8 of producing or recovering oil or gas;

9 WHEREAS, fracking also includes, but is not limited to, the processes known as
10 hydraulic fracturing, acid fracturing, cyclic steam injection, matrix acidizing, and fracture
11 acidizing;

12 WHEREAS, Florida's water supply comes from highly permeable limestone
13 formations which are vulnerable to contamination from fracking or similar well stimulation
14 techniques designed to extract hydrocarbons;

15 WHEREAS, Broward County receives its water from groundwater sources,
16 including the Biscayne and Floridan Aquifers;

17 WHEREAS, Florida's oil and gas regulations, Part I of Chapter 377, Florida
18 Statutes, and Rules 62C-25 through 62C-30, Florida Administrative Code, make no
19 reference to fracking;

20 WHEREAS, in January 2014, an oil drilling company in Collier County was
21 discovered to be using high-pressure injections of acid and water to blast open bedrock
22 to gain access to oil reserves below underground aquifers;

23 WHEREAS, in July 2014, the Florida Department of Environmental Protection
24 revoked the drilling permits of that oil drilling company and fined the company \$25,000;

1 WHEREAS, fracking poses potential risks for contaminating the Floridian Aquifer,
2 the source of drinking water for nearly ten million Floridians, including the residents of
3 Broward County;

4 WHEREAS, it is imperative to take measures to adequately protect our State and
5 County's water supply and environment through better regulation of oil drilling methods
6 and extraction techniques; and

7 WHEREAS, in January 2016, the Board amended Section 27-193 of the Broward
8 County Code of Ordinances to ban extreme well stimulation within Broward County,
9 NOW, THEREFORE,

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11 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
12 BROWARD COUNTY, FLORIDA:

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14 Section 1. Broward County opposes the use of hydraulic fracturing, acid
15 fracturing, and any form of extreme well stimulation and resource extraction in the State
16 of Florida.

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18 Section 2. Broward County opposes any legislation that would preempt
19 Broward County's ability to regulate oil and gas development and extraction within its
20 borders.

21
22 Section 3. The Board of County Commissioners urges the Florida Legislature
23 to enact SB 314, HB 239, or similar legislation prohibiting well stimulation techniques
24 collectively known as "fracking" in the State of Florida.

1 Section 4. The Board of County Commissioners directs the County's
2 Intergovernmental Affairs and Boards Section to advocate for the passage of the
3 legislation set forth in Section 3 above and authorizes and directs the Intergovernmental
4 Affairs and Boards Section to amend the 2019 State Legislative Package to include this
5 item.

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7 Section 5. A copy of this Resolution shall be transmitted to the Governor of
8 Florida, the Secretary of the Florida Department of Environmental Protection, the Speaker
9 of the Florida House of Representatives, the President of the Florida Senate, and to all
10 members of the Broward County Legislative Delegation.

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12 Section 6. Severability.

13 If any portion of this Resolution is determined by any court to be invalid, the invalid
14 portion will be stricken, and such striking will not affect the validity of the remainder of this
15 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
16 legally applied to any individual, group, entity, property, or circumstance, such
17 determination will not affect the applicability of this Resolution to any other individual,
18 group, entity, property, or circumstance.

