

**OPPOSING THE SUBSURFACE INJECTION OF FRACKING WASTE
IN EASTERN NORTH CAROLINA**

WHEREAS, the protection of Dare County's source of future drinking water supplies is vital to the current and future residents of Dare County. The proposed Senate Bill 76 will authorize the Department of Environment and Natural Resources (DENR) to issue permits on or after March 1, 2015 for oil and gas exploration and development activities in the State. Part IV of the proposed legislation is an amendment to the existing statute governing subsurface fluid injection. Currently, the discharge of any wastes to the subsurface or groundwaters of the State by means of wells is prohibited; and

WHEREAS, the intent of Part IV of SB76 is to lift the ban on subsurface injection through adoption of the following specific language: *"The discharge of any wastes to the subsurface or groundwaters of the State by means of wells is prohibited. This section shall not be construed to prohibit (i) the operation of closed-loop groundwater remediation systems in accordance with G.S. 143-215.1A or (ii) injection of hydraulic fracturing fluid for the exploration or development of natural gas resources and water produced from subsurface geologic formations during the extraction of natural gas, condensate, or oil in North Carolina;"* and

WHEREAS, SB76 therefore provides for the termination of the current ban on injection of liquid wastes by means of wells into the groundwater system in North Carolina, and SB76 specifically addresses the disposal of fluids produced during the process of hydraulic fracturing associated with the development of natural gas resources. Although SB76 does not include language which specially identifies where waste disposal (via well injection) will be permitted, there has been a significant amount of public discussion about the disposal of fracturing fluids into the aquifer systems of the North Carolina Coastal Plain. One specific area that has been targeted is the saline part of our Coastal Plain aquifers. The introduction of contaminants via injection wells directly threatens the utilization of all aquifers as potable water sources; and

WHEREAS, the Coastal Plain province is blessed with thick and prolific aquifers that provide the bulk of water for municipal, agricultural, industrial and residential use within the region. Only three communities in the entire Coastal Plain rely partly or solely on surface water. In spite of the presence of these prolific aquifer systems, increasing demands for water resources in the Coastal Plain has required the implementation of stringent water resource management programs, including the Central Coastal Plain Capacity Use Area. Dare County utilizes both the fresh water and salt water portions of our aquifers to meet our current and future water supply demands. One common misconception is that the saline portions of our coastal aquifer systems are unusable. Nothing could be further from the truth. Indeed, the saline portions of the system will become an increasingly important water source as population demands continue to increase; and

WHEREAS, the fresh and saline groundwater resources of the Coastal Plain of North Carolina are vital to the future of the region and the State of North Carolina as a whole. The protection of these vital resources cannot be compromised. We emphatically state our position that the North Carolina General Assembly not pass SB76, or any other legislation which effectively lifts the ban on injecting liquid wastes into the fresh or saline parts of the groundwater systems of North Carolina without first completing a thorough study of the potential effects of these actions. The coastal groundwater system is complex, and

the injection of liquid wastes into this system would prove to be detrimental. There are essentially no unusable portions of the groundwater system in the Coastal Plain, and targeting the saline portions as waste disposal reservoirs is based on lack of understanding of the value of the resource to the current and future viability of the region.

NOW, THEREFORE BE IT RESOLVED, that the Southern Shores Town Council urges the North Carolina General Assembly to maintain current laws in North Carolina that prevent disposal of hydraulic fracturing waste through underground injection or above ground storage in Eastern North Carolina and to take no action that would weaken these laws before a viable option for disposal of fracking waste is found that does not include Eastern North Carolina.

This 16th day of April, 2013.

Mayor

ATTEST:

Town Clerk

Exhibit D

Resolution 2013-04-04

**Resolution Opposing North Carolina Senate Bill 224
That Would Permit Sunday Hunting**

WHEREAS, North Carolina General Statute GS 103-2 currently prohibits hunting on Sundays with a shotgun, rifle or pistol; and

WHEREAS, Senate Bill 224 of the 2013 Session of the North Carolina General Assembly would remove the current prohibition by permitting Sunday hunting on private lands; and

WHEREAS, a 2006 survey by Virginia Tech for a cost of \$143,000 commissioned by the North Carolina Resources Commission released the following information: 65% of the general population opposes legalized hunting on Sunday and only 25% of the general population supported Sunday hunting.

WHEREAS, there have been no studies that would determine the effect on the resources of adding another hunting day to the week; and

WHEREAS, Sunday hunting compromises this safe enjoyment of many outdoor recreational activities; and

WHEREAS, the current ban protects rural churches from disruptions that would be caused by Sunday hunting; and

WHEREAS, no hunting on Sunday serves as a lay day for the conservation of North Carolina's wildlife resources and their habitats; and

WHEREAS, the addition of Sunday waterfowl hunting will reduce the season up to nine days.

Resolution 2013-04-02-Opposing the Subsurface Injection of Fracking Waste in Eastern North Carolina

Following discussion Council Member Kowalski moved to adopt Resolution 2013-04-02 as presented. Council Member Sanders seconded. The motion passed unanimously.

[Clerk's Note: A copy of Resolution 2013-04-02 is hereby attached as Exhibit C].

Resolution 2013-04-04-Supporting No Hunting on Sundays

Following discussion Mayor Pro Tem Hess moved to adopt Resolution 2013-04-04 as presented. Council Member Lawhon seconded. The motion passed 3 to 2 with Council Members Kowalski and Sanders voting no.

[Clerk's Note: A copy of Resolution 2013-04-04 is hereby attached as Exhibit D].

Mid-Currituck Bridge

Mayor Denny stated thirteen years ago the Town took a position to see that the Mid-Currituck Bridge project would be completed and appointed the Build the Bridge-Preserve Our Roads committee (BB-PR) to oversee the project and still there is no bridge. Recently it has been published that the state funding for this project is in jeopardy. The BB-PR committee is still working in trying to keep the funding approved for this project.

He introduced Gerrie Sullivan, resident and long-time member of the BB-PR Committee.

She provided a brief overview of the bridge project and requested that the people contact their legislators, by phone, letters and, emails, to ask that they support the funding for the bridge. She stated Currituck County is very active in trying to save the bridge project. She stated funds are needed to hire a lobbyist on the people's behalf to get the bridge built. She stated the BB-PR is now a non-profit corporation and is prepared to designate funds itself in the amount of \$10,000. She also stated Currituck County, the Town of Duck, and the Duck Business Alliance have also agreed to contribute funding. She requested Council consider appropriating funds for this effort.

Additional information can be found on the Town's website.

Mayor Denny moved that Council authorize the appropriation of funds in the amount of five thousand dollars (\$5,000) to Build the Bridge-Preserve Our Roads, Inc. for this effort. Council Member Sanders seconded. The motion passed unanimously.

OTHER ITEMS

Town Manager

The Town Manager reported on several issues:

- Honeysuckle Trail Street project is on-going
- Fern Drive street repairs will begin this week and a dip at Juniper/Fern intersection will also be incorporated into this project.
- NCDOT has authorized RPC to place curbing at the Juniper/Trinitie Trails Bridge
- Life guard service to commence mid-May with rovers and Memorial Day Weekend with stands.