



RESOLUTION SEEKING MORATORIUM ON HYDRAULIC FRACTURING

WHEREAS, Haywood County is abundant in natural resources that nourish and protect our citizens and visitors; and

WHEREAS, Haywood County's entire water supply originates within the County's boundaries, which creates a vested interest in protecting the purity and safety of our waterways; and

WHEREAS, much of Haywood County's undeveloped land is used for agricultural purposes or is publicly owned lands consisting of the Great Smoky Mountains National Park, the US Forest Service, and NC Wildlife; and

WHEREAS, in North Carolina on June 4, 2014, Gov. Pat McCrory lifted the moratorium on horizontal hydraulic fracturing (fracking) for natural gas through the Energy Modernization Act allowing permits to be issued in early 2015; and

WHEREAS, the NC Mining and Energy Commission (MEC) released proposed rules for regulating fracking in July 2014 and is currently seeking public comment; and

WHEREAS, Session Law 2011-276 tasks the NC Department of Environmental and Natural Resources, the Department of Commerce and the Department of Justice, in conjunction with the nonprofit Rural Advancement Foundation International (RAFI) to study the issue of oil and gas exploration, specifically the use of directional and horizontal drilling and hydraulic fracturing for natural gas production; and

WHEREAS, recommendations contained in that study have yet to be considered and may not be fully addressed in the proposed MEC rules; and

WHEREAS, fracking of underground geologic formations involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance and work over operations; and there have been documented cases of water contamination near fracking sites; and

WHEREAS, the proper safeguards must be in place to protect the public and the environment; and

WHEREAS, local governments should have the authority to make decisions regarding environmental health and should have the right to pass legislation restricting fracking in our county should we so choose.

NOW, THEREFORE BE IT RESOLVED that the Haywood County Board of Commissioners strongly urges the state to issue a moratorium on hydraulic fracking in any part of North Carolina, including Haywood County, until a comprehensive set of environmental, public and consumer protection policies specific to shale gas extraction and fracking have been adopted into law based on the following:

1. That recommendations presented in the joint study commissioned by Session Law 2011-276 are fully addressed in the proposed MEC rules;
2. That additional scientific evidence is gathered and considered regarding the long term impact to health, human safety and the environment posed by fracking;
3. Hazardous chemical reporting procedures to the State Emergency Response Commission (SERC) and Local Emergency Planning Council (LEPC) are fully developed as described in the Emergency Planning and Community Right-to-Know Act (EPCRA) enacted by the U.S. Congress in 1986.

This is the _____ day of _____ 2014

Mark Swanger, Chairman
Haywood County Board of Commissioners

ATTEST: _____
Ira Dove, Clerk to the Board