PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS** AGENDA ITEM SUMMARY

Meeting Date: Oc	tober 20, 2015	()Consent ()Ordinance	(X) Regular () Public Hearing
Submitted By:	Legislative Affairs		
Submitted For:	<u>Administration</u>		
	-=====================================	EXECUTIVE BRIEF	
Commissioners of fracturing, acid fract	Palm Beach County, uring, and similar high-p roduction of oil or natu	Florida, supporting a s ressure well stimulation p	solution by the Board of County tatewide prohibition on hydraulic ractices performed for the purpose Florida and supporting legislation
oil and gas drilling Resolutions for this Alachua, Leon, St. I In the 2015 legislative by Jenne) were confracking activities (C in advance of the 2 166 (Soto) and HB been filed to create regulation of oil and contamination of greater the second	practices commonly referourpose have been particle, Madison, Martin, Foresession, two bills profesidered, along with various S/HB 1205 by Rodrigues 016 legislative agenda, 19 (Jenne). Two additive a regulatory framework digas resources. A res	erred to as "fracking" be keed by several counties. Hamilton, Union, Escamber in the bills providing for add as and SB 1468 by Richter two bills have been filed onal bills, SB 318 (Richter for fracking. These lates of the supporting a proluted drinking water aquifers	prohibition in the State of Florida of prought before it for consideration. It is, including Miami-Dade, Broward, ia, Flagler, Gadsden, and Monroe. It is it is 160 by Soto and HB 169 it it is it is 160 by Soto and HB 169 it is it is it is including of you include the prohibit fracking in Florida: SB is included and HB 191 (Rodrigues), have it is it is it is it is included and the importance of protecting and the importance of protecting
legislative policy or purpose of oil and resolution would su stimulation practices	pposing legislation authorgas extraction near con upport a statewide probes used in oil and gas ex	orizing any form of high servation lands or drinki nibition on hydraulic and oploration and extraction.	oners has adopted a related 2016 -pressure well stimulation for the ng water aquifers. The proposed I acid fracturing and similar well The primary concern associated is contamination of groundwater
be acid fracturing. In 2013. The Sunnil Florida to see future of Land Managemeralthough the south	This technique, used to dand trend, which stretch oil and gas development, the potential for develoest corner of the coun	lissolve limestone, was fir es from Fort Myers to Mia nt. According to the U.S. opment of oil and gas in it ty does, however, have	king to be used in the future would st used in Florida in Collier County ami, is the most likely area in south Department of the Interior, Bureau most of Palm Beach County is low, a medium development potential. ty unlikely, it cannot be completely
Attachments: 1. Resol	ution		
======================================	Department Dir	Runder	10 2 15 Date
Approved by:	Deputy/County	Administrator	/0/z / 15- Date

II. FISCAL IMPACT ANALYSIS

A.	Five Year Summa	ry of Fiscal	Impact:			
Capit Opera Exter Progr	ll Years al Expenditures ating Costs nal Revenues ram Income (Count nd Match (County)	2015 y)	2016	2017	2018	2019
NET	FISCAL IMPACT	*0	-	***************************************		
	DITIONAL FTE TIONS (Cumulative)				
	n Included in Curre et Account No.: I	ent Budget' Fund		_No _Org	_Object	Program Code
В.	Recommended So There is no fiscal in	ources of F npact assoc	unds/Summ iated with th	ary of Fisca s item.	al Impact	
C.	Department Fisca	l Review:				
		<u>III.</u>	REVIEW C	OMMENTS		
A.	OFMB Fiscal and	or Contrac	t Administra	ator Comme	ents:	
В.	OFMB AD MOS & Legal Sufficiency:	Brids		Contrac B Whe	t Adminis	Jacobra 101) 3119 trator
i.	Assistant County	114/1				
C.	Other Department	Review:				
	Department Direct	or		. of Malerman		

Resolution	No 201	5 -	
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RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SUPPORTING A STATEWIDE PROHIBITION ON HYDRAULIC FRACTURING, ACID FRACTURING, AND SIMILAR HIGH PRESSURE WELL STIMULATION PRACTICES PERFORMED FOR THE PURPOSE OF EXPLORATION AND PRODUCTION OF OIL AND NATURAL GAS IN THE STATE OF FLORIDA AND SUPPORTING LEGISLATION PROVIDING FOR THE PROHIBITION

WHEREAS, hydraulic fracturing, acid fracturing, and similar high pressure well stimulation practices, commonly called fracking, are methods of extracting underground oil and natural gas resources; and

WHEREAS, fracking typically involves the pumping or injection of millions of gallons of water mixed with sand and chemicals into the ground at high pressure to fracture rock under the surface of the ground in the vicinity of an extraction well; and

WHEREAS, most of Florida's water supply comes from highly permeable limestone formations which are vulnerable to contamination from fracking and any other activity which introduces potentially harmful substances into subsurface aquifers; and

WHEREAS, Florida's oil and gas regulations found in Chapter 377, Florida Statutes, and Florida Administrative Code Rules 62C-25 thru 30 make no reference to hydraulic fracturing or fracking; and

WHEREAS, in December 2013, high pressure acid fracturing was utilized by a Texas-based oil drilling company in Collier County prompting the Florida Department of Environmental Protection (DEP) to issue a cease and desist order, revoke the company's drilling permits, and issue a \$25,000 fine; and

WHEREAS, DEP has installed a series of groundwater wells in the vicinity of the Collier County fracking well to monitor for contamination; and

WHEREAS, the New York State Department of Health, in an extensive study of high volume hydraulic fracturing released in December 2014, found that there were significant uncertainties about

the kinds of adverse health outcomes that may be associated with hydraulic fracturing, the likelihood of the occurrence of adverse health outcomes, and the effectiveness of some of the mitigation measures in reducing or preventing environmental impacts which could affect public health; and

WHEREAS, there is legislation pending in the State of Florida that would provide a statewide prohibition on fracking as well as legislation that provides additional regulation and permitting requirements; and

WHEREAS, the Board of County Commissioners has consistently maintained policies and programs for the protection of public health and natural resources including drinking water supplies, conservation lands, and other local and state resources; and

WHEREAS, the Board of County Commissioners has determined that without compelling scientific evidence of the safety of fracking in the State of Florida, it is in the best interest of Palm Beach County to support a statewide ban on these activities.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

- 1. Palm Beach County supports a statewide ban on hydraulic fracturing, acid fracturing, and similar high pressure well stimulation practices more commonly known as fracking, and supports legislation providing for same.
- 2. A copy of this resolution be forwarded to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Chair and members of the Palm Beach County Legislative Delegation, and the Secretary of the Florida Department of Environmental Protection.

The foregoing resolution was offered by Com The motion was seconded by Commissionerwas as follows:	missioner, who moved its adoption, and upon being put to a vote, the vote
Shelley Vana, Mayor Mary Lou Berger, Vice Mayor Commissioner Hal Valeche Commissioner Paulette Burdick Commissioner Steven L. Abrams Commissioner Melissa McKinlay Commissioner Priscilla A. Taylor	
The Mayor thereupon declared the Resolut	tion duly passed and adopted this day of
ATTEST: CLERK & COMPTROLLER Sharon R. Bock, Clerk and Comptroller	Palm Beach County, Florida by its Board of County Commissioners
By: Deputy Clerk	By: Shelley Vana, Mayor
Approved as to Form and Legal Sufficiency:	
By: Assistant County Attorney	
Approved as to Content:	
By: Jon Van Arnam, Deputy County Administrator	
discussion street, and the str	