

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OPPOSING HYDRAULIC FRACTURING (FRACKING)

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

WHEREAS, fracking requires millions of gallons of water per well, increasing demand on regional water supplies, and

WHEREAS, fracking operations produce toxic wastewater that requires disposal in special treatment facilities that do not exist in Western North Carolina; and

WHEREAS, negative environmental and public health impacts related to hydraulic fracturing have been documented in other states, including contamination of drinking water wells, contamination of surface water, degradation of air-quality, an increase in greenhouse gas emissions, and increased incidents of earthquakes; and

WHEREAS, fracking can industrialize rural and urban areas with drilling rigs, bright lights, twenty-four hour operations, new roads, wastewater containment ponds, new pipelines, and other infrastructure that brings attendant air, water, and noise pollution detrimental to property values and future economic growth; and

WHEREAS, on June 4, 2014, Governor Pat McCrory signed the Energy Modernization Act, lifting the moratorium on fracking and allowing permits to be issued in early 2015; and

WHEREAS, the North Carolina General Assembly has allocated funding to the Department of Natural Resources to explore for the presence of shale gas in Western North Carolina and such exploration, while not scheduled to begin this year, could occur in the future; and

WHEREAS, Western North Carolina has diverse and abundant natural resources, including state and national parks and national forests, that are enjoyed by millions of people every year and that provide a basis for the region's multi-billion dollar tourist economy; and

WHEREAS, the City of Asheville has a vested interest in protecting the region's natural resources, both because of their intrinsic value and because they bring tourists and new residents to the Asheville area; and

WHEREAS, the City of Asheville is steward to high-quality surface water sources for regional drinking water, created a conservation easement to protect those sources in 1996, and strengthened the easement in December 2012; and

WHEREAS, the City of Asheville has adopted a Sustainability Management Plan in order to address important issues of resource conservation and climate protection; and

WHEREAS, the Energy Modernization Act purports to restrict local governments from regulating or restricting fracking in their jurisdictions; 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;”

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

1. The City of Asheville believes fracking in the City of Asheville and in Western North Carolina would contravene the goals of its Sustainability Management Plan and the need to preserve the region’s natural resources for the region’s health, economy, and quality of life;
2. The City of Asheville calls on the state not to explore future horizontal hydraulic fracturing in Western North Carolina, Buncombe County, and the City of Asheville;
3. The City of Asheville calls on the General Assembly to re-instate the ban on fracking and support the continued moratorium on injection wells in Western North Carolina, Buncombe County, and the City of Asheville;
4. The City of Asheville calls on the General Assembly to re-instate the authority of local governments to regulate fracking and its impacts if local elected officials deem it necessary.

Read, approved, and adopted this 13th day of January, 2015.

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City Clerk

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Mayor

Approved as to form:

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City Attorney