

Mr(s). offered the following Resolution for adoption seconded by Mr(s).

Resolution No. R-12-191

RESOLUTION

RESOLUTION CALLING FOR A BAN ON FRACKING

WHEREAS, the hydraulic fracturing (fracking) for natural gas involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and work over operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, there have been more than 1,000 documented cases of water contamination near fracking sites; some people who live near these sites can now light their drinking water on fire; and

WHEREAS, wastewater from fracking may contain radioactive elements and other toxic components and has been discharged into rivers that supply drinking water for millions; and

WHEREAS, use of these hydraulic fracturing mixes exposed air, aquifers and adjacent land and surface waters to the risk of contamination through spills and accidents, open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, Former President George W. Bush's EPA point person on water now admits fracking should never have been exempted from regulation; and

WHEREAS, New Jersey's Legislature and Governor have enacted a one-year moratorium on fracking set to expire on January 2012; and

WHEREAS, since the New Jersey Legislature originally acted to ban fracking, the case for a ban on fracking is strengthened by a US EPA report of fracking fluids in an aquifer in Pavilion Wyoming, and separate incidents involving earthquakes in Ohio linked to fracking waste disposal using injection wells; and

WHEREAS, wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts from the fracking process are known to contain toxic levels of contaminants, including unknown quantities of undisclosed chemical additives used in hydraulic fracturing fluid, as well as contaminants from sources underground; Benzene, naphthalene, formaldehyde, cadmium, mercury, arsenic, total dissolved solids, and radioactive material, such as radium, are among the known contaminants; and

WHEREAS, methods of treatment and disposal for fracking waste do not eliminate the risks that hydraulic fracturing wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts pose to human health and the environment; and

WHEREAS, S246/A567 is currently pending before the NJ Legislature, and would prohibit hydraulic fracturing in New Jersey; and

WHEREAS, A575/S253 is currently pending before the NJ Legislature, and would prohibit treatment, discharge, disposal, or storage of waste from hydraulic fracturing in New Jersey; and

WHEREAS, the Fracturing Responsibility and Awareness of Chemicals Act ("FRAC Act"), which is currently pending in Congress, would repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking; and

WHEREAS, the BREATHE Act (Bringing Reductions to Energy's Airborne Toxic Health Effects Act) is currently pending before Congress and would close two gas and oil drilling exemptions -which currently- exist in the Clean Air Act for fracking; and

WHEREAS, the New Alternative Transportation to Give Americans Solutions ("NAT GAS Act") Act is currently pending before Congress and would create artificial demand for gas by providing billions of dollars in subsidies to the gas industry, further promoting fracking; and

WHEREAS, at least three pipelines, which will transport fracked gas, are expanding into NJ, passing through densely populated communities like Jersey City and environmentally sensitive areas in the NJ Highlands, encompassing protected land paid for and owned by the people of New Jersey to be preserved as open space to protect water resources; and

WHEREAS, historically 100% of US produced gas has been used domestically, and now 12% of US produced gas is being exported to international markets via liquefied natural gas (LNG) terminals; and

WHEREAS, previous decisions to halt the construction of LNG facilities in New Jersey and off our coast could be reversed to profit gas companies who can charge four times as much for gas in Europe as they can in the US; and

WHEREAS, the wise stewardship of our natural resources involves protection of the Township of Howell's air, water supplies and water resources for generations to come; and

WHEREAS, protection of the Township of Howell's air, water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the day of 2012, Howell Township supports a statewide and national ban on hydraulic fracturing for natural gas, banning the treatment, disposal and transport of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being used for fracking;

AND BE IT FURTHER RESOLVED, that the Township of Howell opposes the NATGAS Act and LNG facilities in New Jersey and off our coast; and

AND BE IT FURTHER RESOLVED, that the Township of Howell supports the FRAC Act and the BREATHE Act;

AND BE IT FURTHER RESOLVED that the Township of Howell Environmental Commission will send a letter, as well as a copy of the within Resolution, to our Congressional Representative and US Senators alerting them to our concerns with fracking and urging them to support a federal ban on frocking and co-sponsor the FRAC and BREATHE Acts and oppose the NATGAS Act;

AND BE IT FURTHER RESOLVED that the Township of Howell Environmental Commission will send a letter, and a copy of the within Resolution, to our New Jersey Assembly and Senate members alerting them to our concerns with frocking and urging them to co-sponsor 5246/A567 to prohibit hydraulic fracturing in New Jersey and A575/S253 to prohibit the treatment, discharge, disposal or storage of hydraulic fracturing waste in New Jersey;

NOW, THEREFORE, BE IT ORDAINED, that hydraulic fracturing for natural gas is prohibited within the Township of Howell.

VOTE	AYES	NAYS	ABSTAIN	ABSENT	DISQUALIFY
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Mr. Gotto

Mr. Malave

Mr. Nicastro

Ms. Smith

Mayor Walsh

This is to certify that the foregoing Resolution was adopted by the Township council of the Township of Howell at a public business meeting held on June 19, 2012.

PENNY A. WOLLMAN, TOWNSHIP CLERK