

2012 SEP 26 PM 3:17
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District Three

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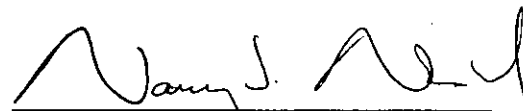
MEMORANDUM

TO: CITY COUNCILMEMBERS
FROM: NANCY NADEL, COUNCIL DISTRICT 3
SUBJECT: RESOLUTION REQUESTING THE GOVERNOR AND THE STATE OF CALIFORNIA'S DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES (DOGGR) TO MOVE SWIFTLY TO PLACE A MORATORIUM ON HYDRAULIC FRACTURING AND ON THE DISPOSAL OF FRACKING WASTEWATER BY INJECTION WELLS UNTIL THE DOGGR, IN CONJUNCTION WITH STATE AND LOCAL AUTHORITIES, MAKES A DETERMINATION THAT SUCH PROCESSES ARE SAFE FOR PUBLIC HEALTH, FOR THE STATE'S WATER SUPPLY, AND FOR THE ENVIRONMENT
DATE: OCTOBER 23, 2012

Federal Energy legislation exempts fracking from inclusion in the Safe Drinking Water and Clean Air regulations. States must lead the charge in ensuring that fracking is safe for public health, for the state's water supply, and for the environment. All over the world, groups are protesting against fracking and demanding more research be done before allowing this process to continue. As recently as Saturday, September 23, 2012, protests were held in the United States and other countries.

California has often paved the way in environmental protection, and the City of Oakland has been in the forefront as a champion for those efforts. We applaud the efforts of such groups as Food & Waters Watch, a Washington, D.C. nonprofit that developed the GlobalFrackdown website and campaign. Once again, California and the City of Oakland need to take the lead to ensure that fracking does not pollute our waters and further damage our environment.

Respectfully submitted,

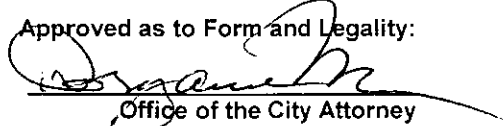


Nancy Nadel

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2012 SEP 13 PM 12:38

Approved as to Form and Legality:


Office of the City Attorney

Oakland City Council

RESOLUTION NO. _____ C.M.S.

Introduced by Vice Mayor Nancy Nadel

RESOLUTION REQUESTING THE GOVERNOR AND THE STATE OF CALIFORNIA'S DIVISION OF OIL, GAS AND GEOTHERMAL RESOURCES ("DOGGR") TO MOVE SWIFTLY TO PLACE A MORATORIUM ON HYDRAULIC FRACTURING AND ON THE DISPOSAL OF FRACKING WASTEWATER BY INJECTION WELLS UNTIL THE DOGGR, IN CONJUNCTION WITH STATE AND LOCAL AUTHORITIES, MAKES A DETERMINATION THAT SUCH PROCESSES ARE SAFE FOR PUBLIC HEALTH, FOR THE STATE'S WATER SUPPLY, AND FOR THE ENVIRONMENT

Whereas, hydraulic fracturing, also known as "fracking," is a type of resource extraction that potentially threatens the health of the public, the City of Oakland, and the environment, requiring unconventional drilling techniques, vast quantities of water, and the use of toxic chemicals; and

Whereas, the oil and gas industry has been granted exceptions to multiple laws and regulations, such as the Safe Drinking Water Act and the Clean Water Act, and employs potentially hundreds of unknown chemicals of concern; and

Whereas, in a study of Pavillion Wyoming, the Environmental Protection Agency (EPA) recently documented water contamination from fracking chemicals; and

Whereas, fracking wastewater may often be laced with hundreds of toxic chemicals, heavy metals, and naturally occurring radioactive materials; and

Whereas, due to the volume and chemical complexity of fracking waste, treating such unknown waste is difficult, making the disposal of fracking wastewater a significant challenge; and the disposal methods currently available in California have an imminent possibility of reaching local streams and rivers which provide drinking water to other communities and cities; and

Whereas, rivers, streams and wetlands across our state and particularly within the watersheds and water supply of many California cities are vulnerable to pollution by fracking; and

Whereas, fracking is currently causing serious local and regional air pollution problems across the country, including the release of such hazardous air pollutants as methanol, formaldehyde, and carbon disulfide, in addition to the release of volatile organic compounds, including benzene, toluene,

and nitrogen oxides, and emissions from heavy-duty truck traffic, large generators and compressors at well sites that contribute to smog formation; and

Whereas, emissions generated by producing, refining and burning shale oil and drilling and fracking for shale oil can result in significant uncontrolled emissions of methane, a potent greenhouse gas often associated underground with oil; and

Whereas, fracking in California may undermine the state's efforts to reduce greenhouse gas emissions to 1990 levels by 2020; and

Whereas, much of the State of California including Oakland is located on top of fault lines within one of the most active and potentially dangerous earthquake zones in the US; and

Whereas, Ohio has experienced a dozen unusual earthquakes, the most severe occurring on December 31, 2011, caused by a Class II injection well disposing of fracking wastewater, which resulted in a moratorium on injection wells in the Youngstown, Ohio area; and

Whereas, there have been thousands of recorded minor earthquakes clustered around fracking wastewater disposal wells in central Arkansas and Oklahoma, which the United States Geological Survey "almost certainly" attributes to fracking wastewater disposal activities and a 5.6 quake in Oklahoma which "was possibly triggered by fluid injection" at nearby wastewater wells; and

Whereas, numerous townships, cities, states and countries have banned or issued moratoriums on horizontal hydraulic fracturing and waste injection wells, including the states of New Jersey, North Carolina, and New York; the cities of Buffalo, New York, and Pittsburgh, Pennsylvania; the Delaware river Gap; and internationally in the Canadian province of Quebec, Germany, France, and Bulgaria; and

Whereas, the EPA is currently conducting a study to be completed in 2015 to determine the risks associated with this new industry; and

Whereas, the State of California's Division of Oil Gas and Geothermal Resources ("DOGGR") reports that oil and gas companies are currently fracking in California and specifically in the Sacramento San Joaquin Delta, also known as the San Francisco Bay Delta Estuary, and are currently fracking in the Sacramento River watershed, which of course flows into San Francisco Bay; and

Whereas, DOGGR is not currently able to "identify where and how often hydraulic fracturing occurs within the state" and "has not yet developed regulations to address this activity"; now, therefore, be it

RESOLVED: That the City of Oakland with this resolution will ask the Governor and the DOGGR to move swiftly to place a moratorium on hydraulic fracturing and on the disposal of fracking wastewater by injection wells until the DOGGR, in conjunction with state and local authorities, makes a determination that such processes are safe for public health, for the state's water supply and for the environment; and, be it

FURTHER RESOLVED: That the Oakland City Council hereby authorizes the City Administrator to communicate this request.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, AND
 PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California