

# RESOLUTION

*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**OPPOSING PROPOSED LEGISLATION PREEMPTING OR  
VOIDING LOCAL GOVERNMENT REGULATIONS ON  
HYDRAULIC FRACTURING, ACID FRACTURING, AND WELL  
STIMULATION TREATMENT PERFORMED FOR THE  
PURPOSES OF EXPLORATION OR PRODUCTION OF OIL OR  
NATURAL GAS; AND URGING THE PASSAGE OF A  
MORATORIUM ON HYDRAULIC FRACTURING, ACID  
FRACTURING, AND WELL STIMULATION TREATMENT IN  
THE STATE OF FLORIDA; PROVIDING AN EFFECTIVE DATE.**

Resolution No. 2015-M-45

WHEREAS, oil and gas well stimulation, including hydraulic fracturing, acidizing, and acid fracturing, is performed by injecting fluid into a rock formation in order to increase production at an oil or gas well; and

WHEREAS, oil and gas well stimulations involve the use of chemical combinations from a list of hundreds of chemicals, some of which are determined by the Center for Disease Control (CDC) to be carcinogenic or which could otherwise pose a widespread and significant risk to public health, safety, and the environment; and

WHEREAS, according to Legislative committee analysts, the process carried out in each hydraulic fracturing well can require between one and seven million gallons of water at a time when state and local governments are being forced to develop costly alternative water supply sources to meet projected water needs throughout Florida; and

WHEREAS, the Florida Legislature is currently considering legislation regarding the permitting and regulation of oil and gas well stimulation, including the process of hydraulic fracturing and acid fracturing; and

WHEREAS, current versions of said legislation would preempt counties, municipalities, or other political subdivisions from regulating any activity related to oil and gas exploration, development, production, processing, storage, and transportation; and

WHEREAS, current versions of said legislation would void any existing county, municipality, or other political subdivision's ordinance or regulation related to oil and gas exploration, development, production, processing, storage, and transportation; and

WHEREAS, local governments were created by the Legislature as authorities accountable to and elected by the citizens residing within their boundaries; and

WHEREAS, preemption by the state is in opposition to the philosophy of self-government carried out by the widely diverse communities of the state; and

WHEREAS, local residents have a reasonable expectation that their local governments will endeavor to protect their health and welfare, along with that of the community environment; and

WHEREAS, local governments will likely have to bear some or all of the costs of future water-related environmental cleanup caused by industrial accidents and the injection of chemicals used in the hydraulic fracturing and acid fracturing processes into the earth; and

WHEREAS, the wise stewardship of our natural resources involves the protection of Florida's fresh water resources for generations to come; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

**Section 1.** That the Board urges the Florida Legislature not to enact any legislation that would preempt local governments' ability to impose by ordinance or other means, more restrictive permitting and regulatory requirements for activity related to oil and gas exploration, development, production, processing, storage, and transportation within their borders, including the processes of hydraulic fracturing and acid fracturing.

**Section 2.** That the Board urges the Florida Legislature not to enact any legislation that would void existing county, municipal or other political subdivision ordinances or rules which impose by ordinance or other means, more restrictive permitting and regulatory requirements for activity related to oil and gas exploration, development, production, processing, storage, and transportation within their borders, including the processes of hydraulic fracturing and acid fracturing.

**Section 3.** That the Board urges the Florida Legislature to declare an immediate statewide moratorium on the use of hydraulic fracturing and acid fracturing

and take steps to ban these processes in Florida, until further scientific evaluation shows it to be environmentally sound.

**Section 4.** This Resolution shall take effect immediately upon the date of its adoption.

ADOPTED THIS 15th DAY OF December, 2015.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: *Teresa Jacobs*  
Teresa Jacobs  
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk of the Board of County Commissioners

By: *Martha O. Haynie*  
Deputy Clerk

