

**RESOLUTION NO. 108-15-14447**

**A Resolution of the City of South Miami, Florida, supporting legislation for a statewide ban on hydraulic fracturing, acid fracturing, or any well stimulation treatment in the State of Florida, including the prohibition of disposal of related materials and byproducts, anywhere within the State of Florida or in the waters adjacent to the State; opposing any legislation that would permit fracking to expand into Florida or that would keep secret, the use of chemicals or any other substance used in fracking, or other methods of oil or gas drilling or recovery.**

**WHEREAS**, overwhelmingly, emerging scientific data show harm and inherent problems with drilling and fracking. The science is not divided; research clearly and with strong documentation, shows that drilling and fracking are inherently dangerous to public health, welfare and the environment; and

**WHEREAS**, well stimulation treatments involve the use of hundreds of chemicals, some of which are known to be carcinogenic or could otherwise be harmful to human health; and

**WHEREAS**, exposure to the chemicals used in well stimulation treatments will pose a widespread and significant risk to public health and safety and the environment; and

**WHEREAS**, well stimulation treatments may involve the use of substantial amounts of freshwater at a time when many Florida lakes, rivers, springs and municipalities are already struggling with the impacts of pollution and water scarcity; and

**WHEREAS**, after being injected into the ground, the chemicals used in the fracking process have leached into groundwater supplies, contaminating drinking water for local residents. There have been numerous documented cases of water contamination next to fracking sites, as well as cases of sensory, respiratory, and neurological damage; and

**WHEREAS**, in parts of the U.S, where hydraulic fracturing has occurred, including California, Texas, Colorado, Pennsylvania and Wyoming, there have been numerous complaints and legal actions because of contamination of drinking water with arsenic, methane, neurotoxins, and other proven and suspected carcinogens; and

**WHEREAS**, as with oil and gas wells, the material used for the pipelines will age and degrade over time, increasing the likelihood of leaks. Pipeline accidents are a regular occurrence nation-wide. Legislation or regulations will not stop these leaks and spills as history has clearly shown; and

**WHEREAS**, after decades of work on an Everglades restoration plan with billions of dollars invested, it would be unacceptable and hazardous to allow drilling and fracking for oil in the Everglades, Big Cypress, and other nearby ecosystem areas. Accidents, spills, and releases of air and water pollutants, such as benzene, metals and hydrogen sulfide, will become likely; and

**WHEREAS**, a spill, leak or other accident in Big Cypress or the Everglades would create a nightmare scenario for water supplies, drinking water and wildlife, including the ecosystem, which feeds the spawning grounds of Ten Thousand Islands, affecting much of the state's fishing industry. Regulation and minimal penalties will have no effect; and

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

**WHEREAS**, the people of Florida have spoken with the passage of "Amendment One" and the Constitution of the State of Florida now requires that the legislature take immediate and certain steps to

protect, restore and preserve Florida's lands and water resources by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments, which may not be possible, after the fact.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, THAT:**

**Section 1.** The City Commission hereby supports a statewide ban on the use of hydraulic fracturing, acid fracturing and well stimulation treatments (hereinafter referred to as "Fracking") which is usually performed for the purposes of exploration or production of oil or natural gas in the State of Florida and the disposal of related materials and byproducts, anywhere within the State of Florida or in the waters adjacent to the State. The City Commission opposes any legislation that would allow or authorize more Fracking permits to be issued or to allow Fracking to expand in Florida and/or that would keep secret from the public and/or prevent or hinder the public health authorities, physicians or governmental entities, (in effect a public record "gag order") from exposing the use, type and amount of any hazardous chemicals, or substances used in fracking or other oil or gas extraction methods.

**Section 2.** The City Clerk is hereby instructed to send a copy of this Resolution to the Florida Legislature and the Governor of the State of Florida; Florida Department of Environmental Protection.

**Section 3.** The City Manager is hereby instructed to direct the City's lobbyist to support such legislation whenever possible.

**Section 4.** If any section clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

**Section 5.** This resolution shall take effect immediately upon adoption.

Passed and adopted this 7<sup>th</sup> day of July, 2015.

ATTEST:

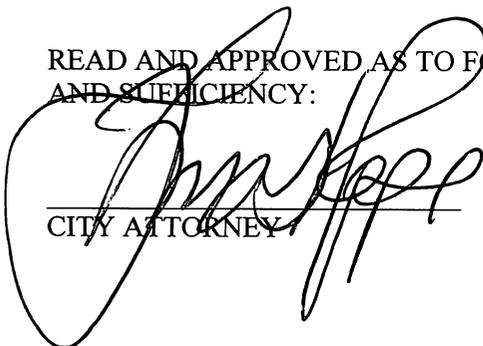
  
CITY CLERK

APPROVED:

  
MAYOR

COMMISSION VOTE: 5-0  
Mayor Stoddard: Yea  
Vice Mayor Harris: Yea  
Commissioner Edmond: Yea  
Commissioner Liebman: Yea  
Commissioner Welsh: Yea

READ AND APPROVED AS TO FORM AND SUFFICIENCY:

  
CITY ATTORNEY

## **The Florida Senate**

### **President Office — Press Release**

**FOR IMMEDIATE RELEASE      CONTACT: Maggie Mickler, (850) 487-5**  
April 29, 2015

# **SENATE APPROVES STATEWIDE WATER AND NATURAL RESOURCES POLICY**

**Tallahassee** — The Florida Senate today passed House Bill 7003, Environmental Resources, which establishes a comprehensive, statewide policy to protect and restore Florida conservation lands and natural resources. This legislation provides greater public access to state-owned lands, addresses the health of Florida's springs, and increases transparency in allocating funding to water resource development projects.

"Florida's environment is unlike any other place in the world," said Senator Dean "Last year, more than 97 million tourists visited Florida and experienced the natural beauty of our state. This important legislation protects and restores our water and natural resources while outlining a long-term plan to ensure Florida's unique springs, trail systems, state-owned lands, beaches, and everglades are preserved for future Floridians and visitors."

"I am thankful for the leadership of Senator Dean, Senator Simmons, Senator Simpson, Senator Hays, and Senator Montford who have invested countless hours vetting environmental policies to craft legislation that will preserve and protect Florida's natural resources," said President Andy Gardiner (R-Orlando). "Through their tireless efforts, they fully examined the issue and worked to include components of the House and Senate's water and natural resource policies into this good piece of legislation. This bill is a key component of the Work Plan 2015 joint agenda and I am pleased to pass it off the Senate floor today."

### **Public Access to Public Lands**

The bill establishes a database, website, and mobile app to raise awareness about location, entry points, and activities allowed on state owned conservation land to increase recreational use and access by Florida taxpayers. Eventually, locally and federally owned lands will be added to the database.

### **Florida Shared-Use Nonmotorized Trail Network (Sun Trail)**

The bill creates the Florida Shared-Use Nonmotorized Trail Network (SUN Trail), and includes network projects in the Department of Transportation's work program to ensure proper planning and coordination for a statewide network of connected bicycle and pedestrian trails that will increase tourism and recreational and economic opportunities.

### **Water Resources Advisory Council**

The bill creates a Water Resource Advisory Council to prioritize recommendation to the Legislature regarding projects designed to protect and improve water resources. Projects reviewed by the Council must meet the criteria established by Amendment 1 and be eligible for funding out of the Land Acquisition Trust Fund. In the past, water projects were often proposed for state funding by individual members as part of the budget process. The Council's recommendations will help guide the Legislature's budget decisions, ensuring taxpayer dollars are allocated to projects that protect our precious environmental resources.

### **Outstanding Florida Springs**

HB 7003 defines "Outstanding Florida Spring" as all historic first magnitude springs, plus DeLeon, Peacock, Poe, Rock, Wekiwa, and Gemini springs, requires DEP, in consultation with the WMDs, to identify areas of these springheds that a

vulnerable to pollution, and prohibits certain activities within these areas. The bill also allows for use of emergency rulemaking powers to set the minimum flow and minimum levels for Outstanding Florida Springs at the points at which further withdrawals would be significantly harmful to the water resources. For an Outstanding Florida Spring that is below or is projected within 20 years to fall below the minimum flow or level, the bill requires expeditious adoption of a recovery or prevention strategy. The bill also uses BMAPs to identify and develop a remediation plan for areas where septic systems contribute at least 20 percent nonpoint source nutrient pollution to an Outstanding Florida Spring, allows for remediation funds based on legislative appropriation, and creates a program funding pilot projects to test the effectiveness of innovative technology and remediation techniques designed to reduce nutrient pollution or restore flows to springs.

### **Northern Everglades and Estuaries Protection**

Since the 2005 enactment of the requirement to implement Basin Management Action Plans (BMAPs) under the Northern Everglades and Estuaries Protection Program, plans have been implemented for the Lake Okeechobee watershed, the Caloosahatchee Estuary Basin, and the St. Lucie River Estuary and Basin. With the implementation of these BMAPs, the district rules, which were adopted in the 1980s and are not as protective as the BMAPs, have become outdated and do not reflect the current requirements for landowners. The bill clarifies that BMAPs regulate water quality restoration efforts, specifically requiring verification of implementation of effective best management practices, water monitoring for pollutants, 5-year milestones for water quality evaluation, and a plan for implementing projects designed to achieve the total maximum daily load within 2 years.

### **Water Conservation and Water Supply**

As our state continues to grow and demographic and economic trends shift, corresponding shifts are taking place in water demand and usage. Domestic consumption has displaced agriculture as Florida's biggest water user, and competition for water resources among agricultural, domestic, and industrial uses

is expected to increase. In response, the bill seeks to encourage development and of alternative water supply resources by: creating pilot programs for alternative water supply, water conservation, and pollution reduction projects; codifying into law the Central Florida Water Initiative; closely monitoring consumptive use permits while incentivizing implementation of water conservation measures; and promoting development of alternative water supply sources, public-private partnerships for water storage, groundwater recharge, water supply, and water production.

Outlined in their Work Plan 2015 agenda, establishing a statewide strategy for water and natural resources is a joint priority of President Gardiner and House Speaker Steve Crisafulli (R-Merritt Island). For more information, please visit the Florida Senate [online](#).

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Disclaimer: The information on this system is unverified. The journals or printed bills of the respective chambers should be consulted for official purposes.

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