

RESOLUTION NO. 2019 - 035

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REAFFIRMING THE TOWN'S OPPOSITION TO THE OIL DRILLING PERMIT APPLICATION SUBMITTED BY KANTER REAL ESTATE LLC, A FLORIDA FOR PROFIT LIMITED LIABILITY CORPORATION, TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEKING OIL DRILLING RIGHTS ON PROPERTY LOCATED IN THE FLORIDA EVERGLADES, APPROXIMATELY FIVE MILES WEST OF THE WESTERNMOST BOUNDARY OF THE SOUTH BROWARD DRAINAGE DISTRICT'S JURISDICTIONAL LIMITS IN CLOSE PROXIMITY TO THE L-67A LEVEE CANAL, AND SUPPORTING EFFORTS OF THE SOUTH BROWARD DRAINAGE DISTRICT OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF OIL EXTRACTION IN THE FLORIDA EVERGLADES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kanter Real Estate LLC, a Florida for profit limited liability corporation ("Kanter"), has submitted an application for an oil drilling permit to the Florida Department of Environmental Protection seeking authorization to conduct exploratory oil well drilling operations on property owned by Kanter located approximately five miles west of the westernmost boundary of the South Broward Drainage District's (hereinafter referred to as the "District") jurisdictional limits in close proximity to the L-67A levee canal in the Florida Everglades; and

WHEREAS, if granted, the oil drilling is anticipated to exceed 11,000 feet in depth, well below the area known as the Biscayne Aquifer, which provides the water supply for Southwest Ranches residents and many residents of Broward County; and

WHEREAS, the Town, along with many local agencies including the District, have expressed substantial concerns about the potential harmful effects of the proposed drilling, including potential adverse environmental impacts such as the degradation and possible contamination of the Biscayne Aquifer, the substantial impact that such drilling operations will have on the Florida Everglades fragile ecosystem comprised of water supplies, plant and vegetation, as well as the possible harm and injury to wildlife; and

WHEREAS, the Biscayne Aquifer is extremely vulnerable to both surface and groundwater contaminants due to its high permeability, shallow depths and integrated hydrologic system; and

WHEREAS, the Florida Everglades serves as a major source of recharge to the Biscayne Aquifer through the shallow, southward-moving flow of surface water across its reaches from the southern limits of Lake Okeechobee to the Florida Bay; and

WHEREAS, on August 13, 2015 the Town Council approved Resolution No. 2015-065 opposing the proposed permit application to the Florida Department of Environmental Protection (FDEP) by Kanter Real Estate LLC to drill an exploratory oil well in the Florida Everglades to assess the feasibility of extracting oil (hereinafter referred to as the "Kanter Well Site"); and

WHEREAS, the proposed Kanter Well Site is located approximately 5 miles west of the western limits of the District and in close proximity to the SFWMD L-67 A Canal; and

WHEREAS, the SFWMD L-67 A Canal extends through the Florida Everglades and connects directly to Everglades National Park, located approximately 20 miles south of the proposed Kanter Well Site; and

WHEREAS, the proposed plan for the Kanter Well Site shows the filling and grading of a 5-acre well "pad" area within the Florida Everglades and an exploratory well extending 11,800 feet below the surface; and

WHEREAS, the construction of the well pad will result in 6.83 acres of wetland fill in Water Conservation Area 3B which provides essential water storage and wildlife habitat; and

WHEREAS, there are multiple pathways for contamination to reach fresh water supplies during drilling and oil extraction processes, including leaks in faulty well casings, surface spills, and improper disposal of wastewater; and

WHEREAS, many of the chemical constituents injected during fracturing have documented adverse effects on human health and the environment; and

WHEREAS, there have been more than 1,000 documented cases of water contamination near fracking sites; and

WHEREAS, use of these well stimulation fracturing mixes exposes adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development such as the exploratory well sought by Kanter; and

WHEREAS, Florida's water supplies and resources are better protected through the prevention of contamination and environmental degradation from the outset, rather

than the cleanup of contamination and restoration of degraded environments after the fact; and

WHEREAS, the Town Council deems it to be in the best interest of the residents and citizens of the Town of Southwest Ranches to reaffirm its vehement opposition to the Kanter oil drilling permit application and resultant operations and to support the efforts of the District in opposing the drilling of an exploratory well at the Kanter Well Site, since the Town of Southwest Ranches is in close proximity to the location of the proposed drilling and will likely suffer substantial adverse impacts associated with the exploratory oil drilling sought by Kanter.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

Section 1: Recitals. The recitals above are true and correct and are incorporated herein by reference.

Section 2: Opposition. That the Town Council hereby publicly reaffirms its vehement opposition to the exploratory oil drilling operations sought by Kanter Real Estate, LLC at the Kanter Well Site and supports the efforts of the South Broward Drainage District in opposing the efforts of Kanter.

Section 3: Opposition. The Town Council hereby opposes extreme well stimulation, hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for purposes of resource extraction in the Florida Everglades.

Section 4: Distribution. The Town Clerk is directed to send a copy of this Resolution to the Governor of the State of Florida, members of the Broward Delegation of the Florida Legislature, the Director of the Florida Department of Environmental Protection, and the Director and Chief Resilience Officer of the Broward County Environmental Planning and Community Resilience Division..

Section 5: Effective Date. This Resolution shall take effect upon its adoption.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches,

Florida, this 25th day of April, 2019, on a motion by

Vice Mayor Jablonski and seconded by Council Member Schroeder

Mckay
Jablonski
Fisikelli
Hartmann
Schroeder

Handwritten tally marks:
Ayes: 5
Nays: 0
Absent: 0
Abstaining: 2

Ayes 5
Nays 0
Absent 0
Abstaining 2

Doug McKay, Mayor

Attest:

Russell Muniz
Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakov
Keith Poliakov, Town Attorney