

Delaware Riverkeeper Network

Please find attached a resolution from Wrightstown Township, PA to enact a complete and permanent ban on hydraulic fracturing.

RESOLUTION NO. 2015-010

A RESOLUTION OF THE BOARD OF SUPERVISORS OF WRIGHTSTOWN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, REQUESTING THAT THE DELAWARE RIVER BASIN COMMISSION CONTINUE AND MAKE PERMANENT THE MORATORIUM ON SHALE GAS DEVELOPMENT IN THE DELAWARE RIVER BASIN AND THAT THE PENNSYLVANIA STATE LEGISLATURE CONTINUE AND MAKE PERMANENT THE COMMONWEALTH OF PENNSYLVANIA'S MORATORIUM ON THE ISSUANCE OF PERMITS FOR SHALE GAS DEVELOPMENT IN THE SOUTH NEWARK BASIN.

WITNESSETH:

WHEREAS, the fundamental purpose of the Government is to protect the health, safety, and welfare of its citizens;

WHEREAS, the Pennsylvania Constitution at Article I, Section 27 states, "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and aesthetic values of the environment";

WHEREAS, Article I, Section 27 of the Pennsylvania Constitution further declares "Pennsylvania's public natural resources are the common property of all people, including generations to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all people";

WHEREAS, competent evidence exists that shale gas development has an adverse impact on public health, property interests, agriculture, and on the air, water, and land;

WHEREAS, Delaware River Basin Commission and the Commonwealth of Pennsylvania have not conducted comprehensive assessments of the cumulative and long-term impact of hydraulic fracturing and related shale gas development activities on the environment;

WHEREAS, in the absence of such an assessment, it is impossible to determine whether or not shale gas development can proceed safely without creating risks to public health, property values, and clean air and water upon which all citizens of the Commonwealth depend;

WHEREAS, sufficient public funds have not been made available to effectively equip governmental agencies with the proper personnel and resources to study all of the impacts of shale gas development, including the impacts on human health and food safety; nor have adequate funds been made available to governmental agencies to conduct baseline water and air testing in order to permit meaningful reviews of permits prior to issuance;

WHEREAS, as noted previously, there also has not been sufficient public funds made available to governmental agencies so as to provide a means to implement and enforce all of the appropriate laws and regulations related to shale gas development;

WHEREAS, the shale gas industry has received exemptions from our nation's most important environmental and public health laws, including the Safe Drinking Water Act, Clean Air Act, and Clean Water Act;

WHEREAS, the States of New York and Maryland, after exhaustive studies, have prohibited hydraulic fracturing in their states;

WHEREAS, the Delaware River Basin Commission has imposed a moratorium that currently prohibits natural gas development in the Delaware River Basin;

WHEREAS, the Commonwealth of Pennsylvania has adopted legislation that temporarily prohibits the Pennsylvania Department of Environmental Protection from issuing well permits for shale gas development in the South Newark Basin, which lies beneath Bucks and Montgomery Counties;

WHEREAS, the Township supports the continuation of the prohibitions previously imposed by the Commonwealth of Pennsylvania and the Delaware River Basin; and

WHEREAS, the Board of Supervisors of Wrightstown Township recognizes that it may have obligations regarding zoning regulations of oil and gas development activities that are

separate from those of the Commonwealth of Pennsylvania and the Delaware River Basin Commission.

NOW, THEREFORE, it shall be resolved this 21 day of September, 2015, as follows:

1. The Township of Wrightstown herein calls upon the Delaware River Basin Commission to continue and make permanent the moratorium on shale gas development in the Delaware River Basin.

2. The Township calls upon the Pennsylvania Legislature and the Governor of the Commonwealth of Pennsylvania to continue and make permanent the Commonwealth of Pennsylvania's moratorium on the issuance of permits for shale gas development in the South Newark Basin.

3. The Township Manager is directed to forward a copy of this Resolution to the Delaware River Basin Commission and to the appropriate representatives of the Pennsylvania House of Representatives, the Pennsylvania Senate, and the Office of the Governor.

4. Adoption of this Resolution is not intended to impair the exercise by the Board of Supervisors of Wrightstown Township of its obligations under the Pennsylvania Municipalities Planning Code.

ATTEST:

Joseph F. Pantano,
Township Manager

**BOARD OF SUPERVISORS
WRIGHTSTOWN TOWNSHIP**

Chester S. Pogonowski, Chairman

Jane B. Magne, Vice Chairman

Robert S. Lloyd, Treasurer/Member