

Protection of the Environment

Cumberland County Democratic Party Resolution Number 03-2014

Whereas, the environment of North Carolina is not only one of our best resources and economic drivers, it is also a major part of our heritage; and

Whereas, environmental protection of the water resources of our state is vital to the growth, prosperity and vitality of the state, and is, as well, the maintenance obligation one generation to the next for our citizens; and

Whereas, environmental protection and economic development are not mutually exclusive; in fact, good environmental stewardship fosters improved economic development at our coast, in the mountains, through the wildlife and in the lakes, rivers and streams of North Carolina; and

Whereas, multiple threats have emerged to the short and long term protection of our environment in the current administration's lack of stewardship of our natural resources and in the newly minted philosophy at the NC DENR, where the governing principle has become the "customer" to be served by DENR is no longer the public interest, but only corporate interests; and

Whereas, Democrats have presciently proposed several bills over the last several sessions of the legislature to require the securing and closing of multiple coal ash ponds in this state that pose a direct threat to contaminate water resources in varied geographical areas of the state, but none of those bills were allowed out of committee; and

Whereas, the concerns Democrats have repeatedly expressed about the threat posed by coal ash ponds have been sadly realized in the tragic breach of the pond resulting in the extensive release of millions of tons of coal ash into the Dan River and its resulting pollution of many miles of that River and destruction of numerous eco-systems along the River and on the riverbed; and

Whereas, it is now also clear that Duke Energy has released enormous amounts of coal ash polluted water, without permit or authority to do so, from another coal ash pond in Chatham County, into the Cape Fear River basin, which is the primary water source for 24% of the state's population, including Cumberland County; and

Whereas, multiple lawsuits brought by environmental and water resource groups to force Duke Energy to clean, secure and close these coal ash ponds, consistent with on-going consensus efforts to do so in South Carolina, have been tenaciously fought by the company despite the tremendously foreseeable damage a breach of any of those ponds might have on the water resources and environment of the state, and the company has done so apparently with the assistance of top NC DENR officials in a manner wholly inconsistent with the public interest; and

Whereas, the McCrory administration continues to resist ordering Duke Energy to clean and close these ponds with all deliberate speed, to take full responsibility for doing so and for all consequences of the Dan River spill and the Cape Fear River dumping, and to energetically enforce compliance by Duke in all environmental rules and regulations in their maintenance of the ponds pending closure; and

Whereas, the McCrory administration and Republican legislature, not learning the lessons of the Coal Ash disaster, continue to push hydraulic fracking on the fast track in North Carolina, without sufficient study or regulations and compliance authority in place; and

Whereas, the economic benefits of fracking have been vastly overstated in the rush to "frack" in North Carolina; and

Whereas, fracking has caused enormous environmental and health concerns in a number of states where it has been used in the last decade, including Pennsylvania and New York; and

Whereas, were fracking to be allowed in North Carolina, it would occur primarily in areas that border or are in the midst of the Cape Fear River Basin with the potential of dramatically harming the primary water supply for 24% of the state's population, including Cumberland County; and

Whereas, a number of Republican legislators are pushing to allow permitting of fracking enterprises before the regulations governing its implementation are completed, despite their promise in 2012 that no fracking would be permitted until all regulations were adopted and only with those regulations providing the safest regime of fracking regulations in the nation; and

Whereas, the current fracking regulations being considered mandate forced pooling, a process fundamentally in opposition to private property rights historically and conservatively valued in this state; provide limited oversight and enforcement capacity of fracking operations at best; all but eliminate any local control or recoupment of infrastructure costs of fracking by local communities; allow for the injection into the ground, in the fracking process, of major chemicals and carcinogens without the necessity of first providing the list of those compounds to the State and emergency responders, thereby seriously delaying emergency response capacity and jeopardizing the public health in the event of an accident or breach; and

Whereas, the Republican legislature has dramatically cut DENR staff as well as compliance and enforcement capacity; undermined many state air and water pollution protection restrictions; placed on a three year hold a multi-year, bi-partisan plan to help clean up Jordan Lake, another major water supply source for over 300,000 citizens in the state; cut over 90% of the state's Clean Water Management Trust Fund; and has demoralized the professional staff at DENR resulting in numerous resignations and retirements from the agency, all to the detriment of the public good;

Therefore, Be It Resolved, that the Democratic Party of Cumberland County implores the McCrory Administration and General Assembly to honor its commitment to the public interest in protecting the environment and water resources of North Carolina; recognize the ultimate "customer" DENR is to serve is the public interest; order Duke Energy to clean, secure and close its coal ash ponds in this state and to take responsibility for doing so; order close supervision and monitoring compliance in all federal and state environmental rules and regulations as long as the coal ash ponds remain open; restore the funds cut to the state's Clean Water Management Trust Fund; reconsider its decision to move forward on hydraulic fracking and certainly not before the legislature and the public have a full opportunity to comment on a completed set of rules and regulations governing the permitting and supervision of any fracking process; ensure that any fracking would only take place, if at all, with the nation's most strenuous safety and public health regulations enacted, which must include limits on any forced pooling, ensure local communities the right to deny fracking in their areas if the citizens of that community do not want fracking to take place and to order the recovery of full infrastructure costs from any fracking enterprises if fracking occurs, ensure all chemical compounds used in any fracking process be disclosed

to appropriate state and local authorities prior to any fracking occurring, and ensure all steps necessary to protect the Cape Fear River water supply are enacted by not permitting any fracking enterprise that might foreseeably threaten our water supply at any time.

Resolved, this the 12th day of April, 2014 in Fayetteville.