



Wisconsin Network for Peace and Justice
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Resolution Opposing Frac Sand Mining Industry and Environmental Degradation

WHEREAS, Wisconsin is looked upon as a conservation leader due to our rich environmental resources and the legacy of such forward thinkers as Aldo Leopold and Gaylord Nelson, and

WHEREAS, Wisconsin has historically used strong regulation to ensure that a clean environment is preserved for future generations because our well-informed citizens have stood up to demand it, and

WHEREAS, our democratically-elected local governments have the power to make regulations that protect the public health and local quality of life, most recently affirmed by the Wisconsin Supreme Court in the 2012 case of *Zwiefelhofer v. Town of Cooks Valley*, in which the court upheld the right of towns to regulate nonmetallic mining through town ordinances, and

WHEREAS, since 2011, Legislative efforts¹ have undermined Wisconsin's democratic tradition and conservation heritage by weakening environmental protections, eroding the authority of the Wisconsin Department of Natural Resources (DNR) to make science-based rules, preventing DNR enforcement staff from doing their jobs, and reducing public involvement in the iron mine permitting process, and

WHEREAS, the frac sand industry has more than doubled its presence in each of the last two years to currently over 140 operating or planned mines, which are drawing down groundwater supplies, causing 24-hour noise and heavy truck and train traffic, exposing whole communities to dangerous silica dust, and destroying our picturesque hills to provide sand for hydraulic fracturing, and the industry has been exempted by the DNR from having to file environmental impact statements or face any meaningful enforcement for environmental violations, and

WHEREAS, hydraulic fracturing, or fracking, is a virtually unregulated² procedure that is putting the drinking water of millions of Americans at risk by pumping silica sand and highly toxic chemicals deep underground to extract methane, a powerful greenhouse gas which frequently leaks from fracking wells into the atmosphere and local aquifers³, and

WHEREAS, 2013 Senate Bill 349 would strip the authority of local governments to write ordinances that regulate frac sand mining or protect water quality, water quantity, and air quality, removing their ability to prevent or stop polluters of any kind, therefore be it

RESOLVED, that the undersigned organizations call for the following measures to be enacted at the state level to halt the rapid degradation of Wisconsin's environment and our quality of life:

- Reject AB 349 or any similar measure that would erode local control;
- Implement a statewide ban on frac sand mining;
- Until a ban is in place, hire enough frac sand regulators to provide adequate oversight and enforcement and deal with complaints against frac sand mining operations by members of the public, with meaningful penalties for violations to ensure public safety and well-being;
- Implement a statewide air quality standard for respirable crystalline silica (RCS) consistent with California's standard of 3 micrograms per cubic meter, and move RCS to the top of the state's list of potential Hazardous Air Pollutants for study;
- Restrict industrial groundwater withdrawals to allow aquifers to be adequately replenished;
- Respect Native American treaty rights and fully involve the state's Native American tribes in environmental decision-making;
- Consider impacts on vulnerable citizens such as children, the elderly, the poor, and racial/ethnic minorities first and foremost when deciding whether to permit new industrial projects;
- Instead of more fossil fuel extraction, address our need for energy and keep our energy dollars in Wisconsin through improvements to the Focus on Energy program that support accelerated efficiency and local renewable power generation.

RESOLVED, that we call on the federal government to:

- Empower the EPA, Army Corps of Engineers, and Fish and Wildlife Service to enforce environmental standards and regulations that the current administration of the State of Wisconsin is failing to;
- Shift the nation's energy policy 180° away from fossil fuel extraction, to prioritizing energy efficiency and the development of local, clean, renewable energy sources.

ENDORSED BY:

Wisconsin Groups (49): 350 Madison (Madison), ACT NOW (Jackson County), Center for Alternative Mining Development Policy (La Crosse), Citizens for Environmental Stewardship (Eau Claire County), Citizens for Responsible Land Use (Town of Sumner, Barron County), Citizens for Safe Water Around Badger (Merrimac), Clean Water Action Council of Northeast Wisconsin (Green Bay), Coalition of Wisconsin Aging Groups (Madison), Concerned Chippewa Citizen (Chippewa Falls), Concerned Citizens of Bridge Creek (Town of Bridge Creek, Eau Claire County), Crawford Stewardship Project (Gays Mills), DeForest Area Progressives (DeForest), Door County Environmental Council (Sturgeon Bay), DownRiver Alliance (La Crosse), Echo Valley Hope (Ontario), Family Farm Defenders (Madison), Frac Sand Sentinel (Chippewa Falls), Hale No to Frac Sand Mining in Western WI (Trempealeau County), Jackson County Citizen Voices (Jackson County), Kewaunee CARES (Green Bay), Kickapoo Peace Circle (Viroqua), La Crosse Peace and Justice Coalition (La Crosse), Lake Pepin Partners in Preservation, Inc (Stockholm) Lookout for Buffalo County (Buffalo County), Loyalty to Our Land (Town of Howard, Chippewa County), Madison Action for Mining Alternatives (Madison), Madison Arcatao Sister City Project (Madison), Madison Infoshop (Madison), Maiden Rock Concerned Citizens (Maiden Rock), Midwest Coalition Against Lethal Mining (Madison), MIGIZI Advocates for Turtle Island (Black River Falls), Nukewatch/The Progressive Foundation (Luck), People Empowered Protect the Land (PEPL) of Rosendale (Rosendale), Preserve Trempealeau County (Trempealeau County), Preserve Waupaca County (Waupaca County), Reedsburg Area Concerned Citizens (Reedsburg), Richland Stewardship Project (Richland Center), Save Our Town Whitehall (Whitehall), Save the Hills Alliance, Inc (Chippewa Falls), Shifting Sands (Trempealeau County), SOUL of Wisconsin (La Farge), SouthWestern Wisconsin Area Progressives (Mt. Horeb), Sustain Rural Wisconsin Network (Gays Mills), Wisconsin Democracy Campaign (Madison), Wisconsin Environment (Madison), Wisconsin Grassroots Network (Mazomanie/DeForest), Wisconsin Green Party (Madison), Wisconsin Resources Protection Council (La Crosse), Wisconsin Wave (Madison)

Out-of-State Groups (29): Advocates for Cherry Valley, Inc (NY), Athens County Fracking Action Network (OH), Berks Gas Truth (PA), Catskill Citizens for Safe Energy (NY), Chenango Delaware Ostego Gas Drilling Opposition Group (NY), Chenango County Chapter of the Chenango Delaware Ostego Gas Drilling Opposition Group (NY), Citizens Against Silica Mining (MN), Civil Society Institute (MA), Coalition to Protect New York (NY), Community Environmental Defense Council, Inc. (NY), Community Rights Alliance of Winneshiek County (IA), Concerned Citizens of Ulysses (NY), Damascus Citizens for Sustainability (NY), Dryden Resource Awareness Coalition (NY), Frack Free Genesee (NY), Friends of Butternuts (NY), Friends of Wabasha (MN), Houston County Protectors (MN), Institute for Agriculture and Trade Policy (MN), Land Stewardship Project (MN), Marcellus Protest (PA), No Fracking in Stokes (NC), Ohio Valley Environmental Coalition (WV), Otsego Neighbors (NY), Pennsylvania Alliance for Clean Water and Air (PA), Save the Bluffs (MN), Social Justice Council of the First Unitarian Society of Ithaca (NY), The Rye House (MN), United Sludge Free Alliance (PA)

Notes

¹ Anti-environment legislation includes: 2011 Act 50, eliminating the earn-a-buck program and antlerless deer hunts in non-CWD areas; 2011 Act 103, expanding exemptions from hazardous waste cleanup; 2011 Act 118, wetlands mitigation and elimination of Areas of Special Natural Resource Interest; 2011 Act 169, requiring the DNR to allow the use of dogs, baiting, and night hunting for hunting of wolves; 2011 Act 188, waiver of research projects from pollution discharge requirements; 2013 Act 1, the iron mining law. <http://docs.legis.wisconsin.gov/2011/related/acts>.

² The “Halliburton Loophole” in the Energy Policy Act of 2005 and other laws have exempted fracking from most provisions of the Clean Water Act, Clean Air Act, Safe Drinking Water Act, National Environmental Policy Act, Resource Conservation and Recovery Act, Toxic Release Inventory Reporting, and Comprehensive Environmental Response, Compensation, and Liability Act (the Superfund law). More information:

http://en.wikipedia.org/wiki/Exemptions_for_hydraulic_fracturing_under_United_States_federal_law.

³ A University of Texas-Austin study published in September, 2013 presents the most recent quantification of atmospheric methane leaks: <http://insideclimatenews.org/news/20130916/study-delivers-good-news-bad-news-methane-leaks-fracking-operations>. Though natural gas companies have long denied it, scientific documentation is mounting of routine groundwater contamination from fracking:

<http://www.scientificamerican.com/article.cfm?id=groundwater-contamination-may-end-the-gas-fracking-boom>.