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## **Vote 'No' on fracking ban**

We urge Denton residents to vote “No” on the Nov. 4 ballot proposal to ban hydraulic fracturing.

dentonrc Administrator Oct 18, 2014

We urge Denton residents to vote “No” on the Nov. 4 ballot proposal to ban hydraulic fracturing.

In our view, this proposition is misguided and could ultimately result in unfair burdens for local taxpayers, unjust restrictions and penalties for a valued Texas industry and unprecedented risks for the Denton County economy.

Like proponents of the proposed ban, we are concerned about air quality, noise and potential water contamination — but we believe there are more effective ways to achieve our goals to be free from those things. The proposed ban on fracking is an all-or-nothing approach that leaves no room for negotiation or compromise.

Approval of the ban could result in litigation that would not only be costly to local taxpayers but would also make it difficult if not impossible to achieve the very goals that proponents of the ban desire to achieve.

No one knows for sure, but many officials have stated that approval of the ban would bring multiple lawsuits against Denton and at least one predicted that the backlash could result in legislative action to prevent such bans by Texas cities.

Proponents of the ban have called for the city to ignore the threat of legal action, but in our view, such an attitude is not only ill-advised but dangerous. We should do our best to keep such issues out of the courtroom. We need to make sure the lines of communication remain open. We should require city and county leaders to work with energy companies, property owners and residents to pursue solutions that are acceptable to all.

Fracking is the process of blasting water and chemicals deep into the earth to break up rock rich in oil and gas, and while the process has freed up vast new energy resources, it has also brought drilling closer to residential areas throughout Denton County and the entire geological area known as the Barnett Shale.

Few, if any of us, would choose to have working oil or gas wells in residential neighborhoods, but thanks to Denton's rapid development, homes have sprung up near existing well sites. We need to require city leaders to plan more carefully and make sure that developers are aware of and respect the rights of existing property owners.

We believe that local residents, business and industry can co-exist and prosper — if proper regulations are in place and followed. It is possible that the proposed ban — and all the hard feelings and misunderstandings that have resulted — could have been avoided if city leaders and developers had planned more carefully and maintained a better buffer between homes and existing well sites.

Financial fallout from the proposed ban is another unknown, but the Denton Chamber of Commerce — which has formally recommended that its employees and members vote against the measure — has cited possible revenue losses for the city, University of North Texas, the city and the Denton school district. All of them derive tax revenue or receive mineral royalties from gas wells.

We must also consider possible losses to mineral rights owners and arguments by property owners who have stated that the proposed ban would lead to economic damage and loss of property rights. Those opposed to the measure, including royalty owners and industry groups, contend that the ban infringes on mineral rights, and mineral rights have priority.

Supporters of the ban have also ignored another key fact — state law generally prevails over local or county authority. A ban on hydraulic fracturing, which many feel is essentially a ban on drilling, could set a negative precedent that could stifle growth for the oil and gas industry and the state's economy.

As state Rep. Myra Crownover, R-Denton, recently stated, Texas and the United States would be in a much weaker position without domestic oil and gas development.

The fracking ban debate has also resulted in an unnecessary and damaging battle pitting neighbor against neighbor.

A full-page color ad on the back page of Wednesday's *Denton Record-Chronicle* is a good example of what can result from such a situation. The ad listed 350 names of people urging residents to vote no in the upcoming election, but several of those listed have told us that they did not give permission for their names to be used in a political ad.

We can understand why those people are upset and no one condones the improper use of someone's name in a political campaign. But that's what happens when you turn an important community issue into pure, hard-boiled politics. Positions harden when you force people to choose sides because leaders have failed to adequately address problems with equitable solutions.

We need to be working together for such goals as reasonable and responsible oil and gas drilling and effective zoning and setback regulations, not wasting time and money fighting among ourselves.

In our view, the proposed ban on fracking does not effectively address community concerns and should be defeated.

We can come up with a better plan.