

Office of the City Attorney  
Kimberly A. Kisslan  
City Attorney

Thomas P. Moss  
Assistant City Attorney



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RECEIVED

AUG 11 2015

FL DEP  
WEST PALM BEACH

August 7, 2015

**VIA CERTIFIED MAIL 7015 0640 0006 2368 3058 - RETURN RECEIPT REQUESTED**

Brian J. Accardo  
Chief Advisor, Regulatory Policy and Energy Infrastructure  
Florida Department of Environmental Protection  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, Florida 33406

**VIA CERTIFIED MAIL 7015 0640 0006 2368 3065 - RETURN RECEIPT REQUESTED**

U.S Army Corps of Engineers - Palm Beach Gardens Permit Section  
4400 PGA Boulevard, Suite 500  
Palm Beach Gardens, FL 33410-6557

Re: Kanter Real Estate, LLC Application for Drilling Permit for Kanter 23-1  
Well submitted July 2, 2015 Permit No. 1366. A WUP; and

Kanter Real Estate, LLC Joint Application for Individual Environmental  
Resource Permit Dated: July 9, 2015; and

The Kanter Corporation of Florida Oil and Gas Permit; Application No. 336299-  
001;

Dear Sir or Madam:

As follow up to my letter dated August 4, 2015, enclosed please find a fully  
executed copy of Resolution No. 15-119 evidencing the City of Sunrise's objections to the  
above referenced permits.

Very truly yours,

CITY OF SUNRISE

  
Kimberly A. Kisslan  
City Attorney

15 AUG -6 PM 1:30

RESOLUTION NO. 15-119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA, OPPOSING 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, LOCATED APPROXIMATELY 12 MILES FROM SUNRISE'S CITY LIMITS AND LOCATED LESS THAN 8 MILES FROM SUNRISE'S NEAREST WATER CUSTOMER, AND SUPPORTING EFFORTS OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF RESOURCE EXTRACTION; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City recently learned that 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 in the Florida Everglades owned by Kanter and located approximately 12 miles southwest from Sunrise's city limits and located less than 8 miles southwest from Sunrise's nearest water customer; 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 Sunrise residents and many residents of Broward County; and

WHEREAS, the City, along with many local agencies, 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, extreme well stimulation such as hydraulic and acid fracturing (also known as "fracking") is the process of pumping a complex mix of fluids and chemicals, including large volumes of water, under very high pressure into or below the surface of the ground to create fractures in oil - or gas-bearing geologic formations for the purpose of producing or recovering oil or gas; and

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

WHEREAS, after being injected into the ground, the chemicals used in the fracking process can leach into groundwater supplies, contaminating drinking water for local residents; 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, in parts of the United States where hydraulic fracturing has occurred, including California, Texas, Colorado, Pennsylvania and Wyoming, there have been numerous complaints and legal actions because of contamination of drinking water with arsenic, methane, neurotoxins, and other proven and suspected carcinogens; and

WHEREAS, as with oil and gas wells, the material used for the pipelines will age and degrade over time, increasing the likelihood of leaks. Pipeline accidents are a regular occurrence nationwide. Legislation or regulations will not stop these leaks and spills as history has clearly shown; and

WHEREAS, after decades of work on an Everglades restoration plan with billions of dollars invested, it would be unacceptable and hazardous to allow drilling and fracking for oil in the Everglades, Big Cypress, and other nearby ecosystem areas. Accidents, spills, and releases of air and water pollutants,

such as benzene, metals and hydrogen sulfide, will likely occur;  
and

WHEREAS, a spill, leak or other accident in Big Cypress or the Everglades would create a nightmare scenario for water supplies, wildlife and drinking water, including the ecosystem, which feeds the spawning grounds of Ten Thousand Islands, affecting much of the state's fishing industry; and

WHEREAS, as we have seen in the Deepwater Horizon disaster, regulation and potential penalties will have not meaningfully prevent catastrophic accidents involving drilling; and

WHEREAS, the wise stewardship of our natural resources involves protection of Florida's water supplies, wildlife and water resources for generations to come; and

WHEREAS, as a result of Amendment One, the Florida Constitution now requires that the legislature take immediate and certain steps to protect, restore and preserve Florida's lands and water resources by preventing contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments, which may not be possible, after the fact; 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 City Commission deems it to be in the best interest of the residents of the City of Sunrise, as well as the over 200,000 customers to whom the City of Sunrise provides potable water, to present its vehement opposition to the Kanter oil drilling permit application and resultant operations, since the City of Sunrise is located in the western corridor of Broward County and may suffer substantial adverse impacts associated with the exploratory oil drilling sought by Kanter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Resolution.

Section 2. That the City of Sunrise hereby publicly expresses its vehement opposition to the exploratory oil drilling operations sought by Kanter Real Estate LLC in the area located approximately 12 miles southwest from Sunrise's city limits and located less than 8 miles southwest from Sunrise's nearest water customer, and urges Broward County and all municipalities in Broward County to consider similar legislation opposing the efforts of Kanter.

Section 3. The City hereby supports a statewide ban on the use of extreme well stimulation, hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for purposes of resource extraction as well as a prohibition on the disposal or related materials and byproducts anywhere within the State of Florida or in the waters adjacent to the State.

Section 4. The City hereby opposes any legislation that would allow or authorize more permits to allow fracking to expand in Florida and/or keeping secret from the public (in effect a public record "gag order,") health authorities, physicians or governmental entities, the use, type and amount of any hazardous chemicals, or substances used in fracking or other oil or gas extraction methods

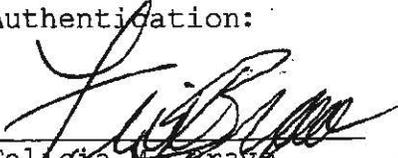
Section 5. The City Attorney is hereby authorized to consult with other City Attorneys on strategies and/or options available to the City with regard to the opposition to the Kanter application as well as the expansion of drilling activities in the Everglades.

Section 6. The City Clerk is directed to send a copy of this Resolution to Broward County and all cities within Broward County.

Section 7. This Resolution shall effective immediately upon its passage.

PASSED AND ADOPTED THIS 31ST DAY OF JULY, 2015.

  
\_\_\_\_\_  
Mayor Michael J. Ryan

Authentication:  
  
\_\_\_\_\_  
Felicia M. Brave  
City Clerk

MOTION:            SCUOTTO  
SECOND:           SOFIELD  
  
KERCH:            YEA  
ROSEN:            YEA  
SCUOTTO:         YEA  
SOFIELD:          YEA  
RYAN:              ABSENT

Approved by the City Attorney  
as to Form and Legal Sufficiency.   
\_\_\_\_\_  
Kimberly A. Kisslan

## RESOLUTION 2015/154

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, OPPOSING 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 30 MILES WEST OF DEERFIELD BEACH'S CITY LIMITS, AND SUPPORTING EFFORTS OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF RESOURCE EXTRACTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City recently learned that 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 thirty miles west of Deerfield Beach’s City limits 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 Deerfield Beach residents and many residents of Broward County; and

**WHEREAS**, the City, along with many local agencies, 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**, extreme well stimulation such as hydraulic and acid fracturing (also known as “fracking”) is the process of pumping a complex mix of fluids and chemicals, including large volumes of water, under very high pressure into or below the surface of the ground to create fractures in oil – or gas-bearing geologic formations for the purpose of producing or recovering oil or gas; and

**WHEREAS**, many of the chemical constitutes 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 City Commission deems it to be in the best interest of the residents and citizens of the City of Deerfield Beach to present its vehement opposition to the Kanter oil drilling permit application and resultant operations, since the City of Deerfield Beach is the municipality closest to the location of the proposed drilling and the area most likely to suffer substantial adverse impacts associated with the exploratory oil drilling sought by Kanter.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA AS FOLLOWS:**

**Section 1:** That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

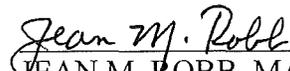
**Section 2:** That it hereby publicly expresses its vehement opposition to the exploratory oil drilling operations sought by Kanter Real Estate LLC in the area approximately 30 miles west of the Deerfield Beach City limits, and urges Broward County and all municipalities in Broward County to consider similar legislation opposing the efforts of Kanter.

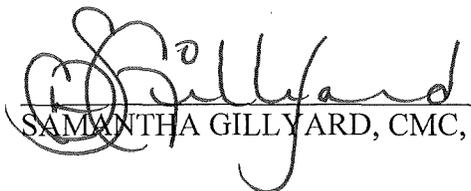
**Section 3:** The City hereby opposes extreme well stimulation, hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for purposes of resource extraction.

**Section 4:** The City Clerk is directed to send a copy of this Resolution to Broward County and all cities within Broward County.

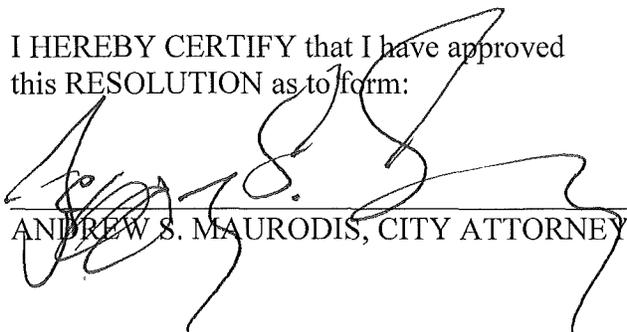
**Section 5:** This Resolution shall take effect upon its adoption.

**PASSED AND ADOPTED THIS 18<sup>TH</sup> DAY OF AUGUST, 2015.**

  
JEAN M. ROBB, MAYOR

  
SAMANTHA GILLYARD, CMC, CITY CLERK

I HEREBY CERTIFY that I have approved this RESOLUTION as to form:

  
ANDREW S. MAURODIS, CITY ATTORNEY

RESOLUTION NO. 2015 - 065

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA OPPOSING 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 SIX MILES WEST OF THE CITY OF MIRAMAR'S WESTERNMOST BOUNDARIES, AND SUPPORTING EFFORTS OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF RESOURCE EXTRACTION IN THE FLORIDA EVERGLADES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town recently learned that 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 six miles west of the City of Miramar's westernmost boundary 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, 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**, extreme well stimulation such as hydraulic and acid fracturing (also known as "fracking") is the process of pumping a complex mix of fluids and chemicals, including large volumes of water, under very high pressure into or below the surface of the ground to create fractures in oil – or gas-bearing geologic formations for the purpose of producing or recovering oil or gas; and

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



**Ordinance**  
I certify this to be a true and correct copy of the record.  
WITNESSETH my hand and official seal of the Town of Southwest Ranches, Florida this 26<sup>th</sup> day of August 2015.  
Town Clerk

*[Handwritten Signature]*

**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 present its vehement opposition to the Kanter oil drilling permit application and resultant operations, 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 expresses its vehement opposition to the exploratory oil drilling operations sought by Kanter Real Estate, LLC in the area approximately six miles west of the City of Miramar's westernmost municipal boundary and urges Broward County and all municipalities in Broward County to consider similar legislation 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 Broward County and all cities within Broward County.

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

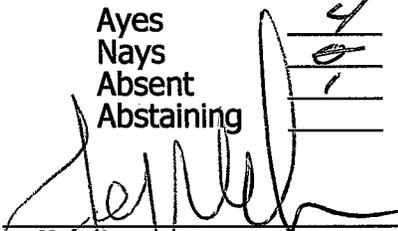
**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 13<sup>th</sup> day of August, 2015, on a motion by V. M. Fisikelli and seconded by C. M. Breitkreuz.

Nelson  
Fisikelli  
Breitkreuz  
Jablonski  
McKay

aye  
aye  
aye  
absent  
aye

Ayes  
Nays  
Absent  
Abstaining

4  
0  
1  
0

  
\_\_\_\_\_  
Jeff Nelson, Mayor

Attest:

  
\_\_\_\_\_

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Keith Poliakoff, Town Attorney

CITY OF TAMARAC, FLORIDA  
RESOLUTION NO. R-2015- 71

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, OPPOSING OIL DRILLING WITHIN THE FLORIDA EVERGLADES IN WATER CONSERVATION AREAS AND THE PERMIT APPLICATION SUBMITTED BY KANTER REAL ESTATE LLC TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEKING OIL DRILLING RIGHTS ON PROPERTY LOCATED IN THE FLORIDA EVERGLADES; SUPPORTING EFFORTS OPPOSING HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY EXTREME WELL STIMULATION ACTIVITIES; PROVIDING FOR DISTRIBUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City recently learned that Kanter Real Estate LLC, ("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 in the Florida Everglades owned by Kanter and located in western Broward County, approximately 21 and a half miles south west of Tamarac's City limits and approximately 6 miles west of Miramar's City limits; and

WHEREAS, the proposed oil drilling activity within Water Conservation Area 3A and Broward County's unincorporated area is currently not a permissible

use under the Broward County Land Use Plan, the Future Unincorporated Area Land Use, and Zoning; 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 Tamarac residents and many residents of Broward County, Florida; and

WHEREAS, the City, along with many local agencies, has 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, extreme well stimulation such as hydraulic and acid fracturing (also known as "fracking") is the process of pumping a complex mix of fluids and chemicals, including large volumes of water, under very high pressure into or below the surface of the ground to create fractures in oil- or gas-bearing geologic formations for the purpose of producing or recovering oil or gas; and

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

WHEREAS, use of these well stimulation fracturing mixes and other drilling fluids exposes adjacent land and surface waters to the risk of

contamination through open pit storage, truck transport on roadways, and other activities during well operation and well development such as exploratory well sought by Kanter; and

WHEREAS, there have been numerous complaints and legal actions taken related to water contamination in the states where fracturing has occurred; and

WHEREAS, Florida's water supplies and resources are better protected through prevention of contamination and environmental degradation from the outset, rather than the cleanup of contamination and restoration of degraded environment after the fact; and

WHEREAS, the City Commission of the City of Tamarac, deems it to be in the best interests of the citizens and residents of the City of Tamarac to present its vehement opposition to the Kanter oil drilling permit application and resultant operations, and to express its support for the efforts opposing hydraulic fracturing, acid fracturing, and any extreme well stimulation efforts for the purposes of resource extraction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

SECTION 2: The City hereby publicly expresses its vehement opposition to oil drilling within the Florida Everglades in Water Conservation Areas, including the exploratory oil drilling operations sought by Kanter Real Estate LLC in the area located approximately 21 and a half miles south west of Tamarac's City limits and approximately 6 miles west of Miramar's City limits, and urges Broward County and other municipalities in Broward County to consider similar legislation opposing these efforts.

SECTION 3: The City hereby opposes extreme well stimulation, hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for purposes of resource extraction, as well as disposal of fracking related materials and byproducts within the State of Florida or in the waters adjacent to the State.

SECTION 4: The City Clerk is directed to send a copy of this Resolution to Broward County, all cities within Broward County, the Broward County League of Cities, Broward Water Resources Task Force, Florida League of Cities, Broward County Water Advisory Board and the Florida Department of Environmental Protection.

SECTION 5: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 7: This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this 26 day of August, 2015.

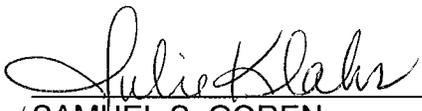
  
\_\_\_\_\_  
HARRY DRESSLER  
MAYOR

ATTEST:

  
\_\_\_\_\_  
PATRICIA TEUFEL, CMC  
CITY CLERK

RECORD OF COMMISSION VOTE:  
MAYOR DRESSLER yes  
DIST 1: VICE MAYOR BUSHNELL yes  
DIST 2: COMM. GOMEZ yes  
DIST 3: COMM. GLASSER yes  
DIST 4: COMM. PLACKO yes

I HEREBY CERTIFY THAT I HAVE APPROVED THIS RESOLUTION AS TO FORM

  
for SAMUEL S. GOREN  
CITY ATTORNEY

