



FOR IMMEDIATE RELEASE

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*****PRESS RELEASE*****

Longmont Residents Move to Lift Court Injunction on Oil & Gas Ban
Local control granted by SB 19-181 allows the 2012 voter-enacted law to stand

Join Colorado Rising and Longmont residents for a press conference on the matter today at 1 pm at the Colorado State Capitol in Room 0107.

LONGMONT, COLORADO -- Today, Colorado Rising, on behalf of Our Longmont, filed a motion to reopen the *City of Longmont v. Colo. Oil and Gas Ass'n* case in Boulder District Court. This is a first step to lift an injunction by the Colorado Supreme Court prohibiting the implementation of Article XVI of Longmont's Charter which bans fracking within the City of Longmont.

In 2012, Longmont voters overwhelmingly approved the charter amendment (Article XVI) to ban fracking within the city. At the time of the passage of Article XVI, the Colorado Oil and Gas Conservation Act (the "Act") was much different than today.

The oil & gas industry wasted no time in bringing a lawsuit against the City of Longmont to challenge the will of voters. In May of 2016, the Colorado Supreme Court prevented the City of Longmont from enforcing its charter amendment. The Supreme Court held that the Amendment was in "operational conflict" with and preempted by state law. Thus, the Court prevented Longmont from enforcing Article XVI. Amendment XVI remains in Longmont's charter.

This past spring, the Colorado General Assembly passed SB 19-181, which is considered a sea change in regulating oil and gas operations in the state. This sea change reinforced local government land use authority, provided local governments greater control over oil and gas operations, and eliminated preemption of state interest from the Act, among other things, making Longmont's charter is no longer in operational conflict.

In light of the new law, Our Longmont will ask the Boulder County District Court to lift the injunction and allow the City of Longmont to enforce its voter-approved Charter amendment.

Michael Bellmont, Resident of Longmont and defendant said of the motion, “In truly bipartisan numbers, voters overwhelmingly approved a ban in 2012 that the Supreme Court later said was trumped by state law. The law has changed and now the charter amendment needs to be enforced to protect the health, safety, and welfare of our residents. We deserve public health and safety...we voted for it...and we deserve our voices to be heard and honored.”

Attorney Joe Salazar, Executive Director of Colorado Rising said, “SB 19-181 in no way stops local governments from enacting a ban on fracking. Considering the climate crisis and Longmont’s already failing air quality largely due to oil and gas extraction in Weld County, a ban is reasonable and necessary to protect the health and safety of Longmont residents. SB 19-181 granted local control to Colorado communities and Longmont has the right to exercise its self governance through implementation of their charter amendment.”

Dr. Detlev Helmig, Fellow and Associate Research Professor at the Institute of Alpine and Arctic Research (INSTAAR) at CU-Boulder said of the already failing air quality in Longmont, "Our measurements have shown concentrations of oil and gas-related pollutants in East Longmont were at a minimum on average 2-3 times higher than in most other large US cities. Longmont's oil and gas-related pollution exceeded the levels seen in all of the 28 major urban comparison areas. Based on the known wind patterns, these pollutants are presumably coming into Longmont from the active oil and gas drilling and fracking in Weld County."

Please contact Anne Lee Foster, Communications Director for Colorado Rising, to interview defendants in the suit.

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Colorado Rising is powering the grassroots movement to protect public health & safety from dangerous oil & gas operations.

To learn more, please go to www.corising.org