



JARED POLIS

December 4, 2013

Tisha Schuller, President and Chief Executive Officer
Colorado Oil & Gas Association
PO Box 540
Denver, Colorado 80201

Ms. Schuller:

Please stop suing the communities I represent.

Elections matter. In a democracy, both sides get to make their case and the people have their say. In the lead up to the recent election, the Colorado Oil and Gas Association (COGA) made its case by spending approximately \$900,000 in an attempt to defeat the four ballot measures to ban or extend drilling moratoria on the hydraulic fracturing process ("fracking"). Still, the majority of Fort Collins, Boulder, Lafayette, and Broomfield voters chose to pass measures to extend drilling moratoriums or fracking bans. And even the approximately 44% of Fort Collins residents who voted against the measure generally agree it is community members, not COGA, who should determine how and whether oil and gas is developed in Fort Collins.

I ask you to immediately withdraw your lawsuits against Fort Collins and Lafayette. Colorado home rule communities have held these rights for decades: the right to determine how their own city or town will look and feel; the right to decide between an expanding extractive industry and the value of their homes; and the right to balance increased development with the health and quality of life of community residents. Local governments have authority to regulate oil and gas land use activities because oil and gas operations are matters of local concern that directly involve the use of land and are an important issue for residents and neighborhoods.

Your lawsuits highlight the need for Coloradan communities to have the express authority to allow, regulate, zone or even ban fracking similar to other industrial activities within their boundaries. But suing us doesn't earn you our friendship. These lawsuits are causing great harm to your industry and Colorado's opportunity for increased production.

Your plan can't possibly be to sue the whole state. But without adequate protections for homeowners and citizens, more and more cities will pass moratoria or bans to the detriment of jobs and the industry. You can't sue, bully, or buy your way to a solution.

Like most Coloradans, I want your industry to thrive in our state and many of my constituents make their living by working hard to achieve energy independence. But the future of oil and gas development is already being threatened and will most certainly be killed if local communities, the bedrock of Colorado, are not allowed to control their own fates. I am asking you to drop your lawsuit against my constituents. Instead come to the table and help clarify local prerogative in the state law.

I will gladly work with you to find a solution that empowers our City Councils and County Commissioners with clear authority to determine what land use is most appropriate for their communities.

Sincerely,

Jared Polis
Representative