

## **FCSG statement on Judge Lammons' decision to overturn the five year moratorium on fracking**

*Statement updated on September 28, 2014*

The Fort Collins Sustainability Group (FCSG) was disappointed to learn in early August that 8th Judicial District Judge Gregory Lammons ruled to overturn the five year moratorium on fracking within Fort Collins and on city-owned land approved by voters last November. On September 23<sup>rd</sup>, the Fort Collins City Council voted 6-1 to approve a resolution to appeal and to "stay" the effect of that ruling until the appeals process has ended. We urged members of Council to approve that resolution, and are pleased with the results.

The FCSG originally supported the five year moratorium on fracking to allow time for studies to be completed on the impacts of the modern fracking process, and to allow time for the State of Colorado and the Federal Government to put stronger regulations in place to protect the public from the impacts of fracking. We suggested that rolling back the exemption from EPA regulation that fracking currently enjoys would be a good place to start.

Little progress has been made in regulating fracking at the State level since the success of the Fort Collins moratorium – and other local Front Range ballot initiatives - last November. Recently, two initiatives that would have offered some additional protections were dropped from the State ballot in exchange for dropping two other ballot initiatives that would have made regulation of the oil and gas industry more difficult. The State ballot initiative deal also involved the creation of a 19 member task force to study oil and gas development in Colorado. Governor John Hickenlooper appointed the members of that commission on September 8<sup>th</sup>.

None of the task force members appointed by the Governor were active in the campaigns for initiatives to ban or establish moratoria on fracking that were approved by voters last November in Fort Collins, Boulder, Broomfield, and Lafayette. We are therefore doubtful that the task force will put forward any suggestions that would seriously alter the status quo of run-away drilling – and fracking - in this State.

For now, it appears that it is up to local government and citizens to continue pushing for adequate protection of the atmosphere, water, and land from oil and gas development. That is why we asked members of council to appeal Judge Lammons' decision and fight for the right of our City to put the brakes on fracking here through 2018.