



COLORADO
OIL & GAS
ASSOCIATION

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November 22, 2017

VIA EMAIL – NO ORIGINAL TO FOLLOW

City of Lafayette City Council
Christine Berg, Mayor
Gustavo Reyna, Mayor Pro Tem
Chelsea Behanna, Councilor
Alexandra Lynch, Councilor
Merrily Mazza, Councilor
Stephanie Walton, Councilor
Brad Wiesley, Councilor

City Hall
1290 S. Public Road
Lafayette, CO 80026

RE: Ordinance No. 43, Series 2017 Six-Month Oil and Gas Moratorium

Dear Lafayette City Council Members,

The Colorado Oil & Gas Association (“COGA”) would like to express our disappointment and concern about the recent passing of the six-month moratorium on oil and gas activities in the area. While COGA understands the City’s desire to evaluate and potentially update its current regulations, we are gravely concerned that this moratorium could become a long-term illegal ban of all oil and gas related activity.

Instead of imposing a moratorium, the City of Lafayette can better achieve its objectives by actively engaging in the state permitting process by using its Local Governmental Designee (LGD) and existing Colorado Oil and Gas Conservation Commission rules.

Further, COGA would like to make ourselves available to provide resources to Lafayette’s City Council, hold educational forums, and engage with your staff and stakeholders to ensure that the City of Lafayette has the information needed to evaluate development, engage with operators, and answer the questions of your citizens.

Colorado has more than 150 years of experience in oil and gas development across the entire state, and especially in the DJ Basin of Northeastern Colorado that includes Lafayette. There is abundant experience and resources available to the City of Lafayette. COGA would like to encourage the City of Lafayette to repeal the moratorium and instead with work

industry and other stakeholders to address the City's concerns. Other cities and counties throughout Colorado have been able to successfully evaluate their regulations without a moratorium.

As the City begins a regulatory process relevant to oil and gas, COGA would appreciate the opportunity to work the Council and staff as an engaged stakeholder. COGA encourages the city to keep in mind that local governments may not enact regulations that conflict with existing state statute or regulations. The Colorado Supreme Court has made that abundantly clear. The ordinance also recognizes this, stating, "evaluated and possibly updated with respect to recent court decisions, including the decision in *City of Longmont v. Colorado Oil and Gas Association*, 369 P.3d 573 (Colo. 2006), as well as updated to conform with current regulatory best management practices, consistent with the Oil and Gas Conservation Commission Rules."

COGA continues to offer ourselves as a resource to the City as they navigate their regulatory evaluation and welcomes a discussion with councilmembers and staff on the Ordinance. Please contact me with any questions you may have or to schedule a meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Seastrom". The signature is fluid and cursive, with the first name being more prominent.

Ryan Seastrom
Community Outreach Coordinator

cc: Karen Westover – LGD, City of Lafayette