**Longmont Reviewing Court Filing**

The Longmont City Council has not reviewed the court filing from an environmental group that is seeking to reopen a court case that prohibits the City of Longmont from enforcing a fracking ban within city limits. The Council has not taken an official position at this time, but will be reviewing it with their legal team to determine the best course of action for Longmont

Here’s a brief rundown of Longmont’s recent oil and gas history.

In 2012, the Longmont City Council updated its rules and regulations on oil and gas activity that generally prohibit new oil and gas surface operations in residentially zoned areas, require disclosures of fracking chemicals to the City’s first responders, require groundwater monitoring, provide recommended setbacks for new oil and gas facilities from occupied structures, residential lots, parks, recreational areas, and water bodies, and mitigate visual and noise impacts, among other requirements. The regulations ask oil and gas operators to incorporate best management practices used throughout the state in their Longmont operations. The COGCC sued the City over its regulations, voluntarily dismissed that lawsuit with a covenant not to sue, and the regulations remain in place today.

In November 2012, Longmont residents passed a citizen initiative known as Amendment 300 or Article XVI of the Longmont Charter to prohibit hydraulic fracturing (fracking) as well as storage and disposal of fracking waste in Longmont. Shortly thereafter, the State of Colorado and the Colorado Oil and Gas Commission (COGCC) sued Longmont to overturn the amendment.

On July 24, 2014, Boulder District Court ruled the ban invalid, saying that the city of Longmont "does not have the authority to prohibit what the state authorizes and permits." The court cited Voss v. Lundvall, a 1992 court ruling that gave states, rather than cities, control over oil and gas extraction regulations and bans.

On May 2, 2016, the [Colorado Supreme Court upheld the district court’s decision](https://www.longmontcolorado.gov/home/showdocument?id=18241), ending the case.  
  
In 2018, Longmont signed an agreement with two oil and gas companies that has essentially eliminated oil and gas drilling within Longmont City limits in return for a cash payment of $3 million. See details of this agreement at <http://webapp.ci.longmont.co.us/cache/2/twe2vhc52hhs3ccdmmw5pc2c/330774408142019030725518.PDF>

The City of Longmont was not involved in Our Health, Our Future, Our Longmont’s decision to file the motion to reopen the fracking ban case.