

Office of the Governor  
136 State Capitol Bldg  
Denver, CO 80203

May 10, 2017

Dear Governor Hickenlooper,

We write you today in light of the terrible tragedy in Firestone that resulted in the loss of two innocent men's lives, a family shattered and our Colorado communities full of anxiety that this could happen to them. Many, including ourselves, are wondering what we can do better to prevent another tragedy like Firestone from affecting another family and another community. In the months ahead, we look forward to working with you to forge long term solutions to this important question. But there is an immediate step that you, and only you, can take to begin to reestablish the public's trust that their well-being is truly the state of Colorado's foremost concern when administrating oil and gas development.

By May 18th, your administration must decide whether or not to appeal in an attempt to overturn The Colorado Court of Appeal's decision in the *Martinez v. COGCC* case that ruled the protection of the public health and the environment must be a condition that is to be fulfilled before the state permits oil and gas drilling. The Colorado Court of Appeals found that the current law states in plain language that "fostering balanced non wasteful oil and gas development is subject to the protection of public health, safety and welfare including protection of the environment and wildlife resources" and that your administration has erred by applying a standard that merely seeks to balance the fostering of oil and gas development with public health, safety and welfare.

Appealing this decision and attempting to overturn the standard that the burden of proof lies with the oil and gas industry to first prove that their activities are done in a manner that "protects public health, safety and the environment" would do the public a great disservice in these times when they are looking to the state for reassurances, and it will no doubt breed more cynicism that the oil and gas industry's profits matter more than the public's health and safety.

Your decision to not appeal and staying *Martinez v. COGCC* will not solve all the ills associated with oil and gas development in residential areas, but it would be an important step forward and a demonstration to the public that their lives and safety are truly the most important factor when making decisions of how, where, and when oil and gas development takes place in our communities. Your decision on how to proceed in *Martinez v. COGCC* sets that stage for the future, and how we as a Colorado family can come together to grieve this terrible loss and move forward to forge solutions to these complex issues.

We respectfully ask that you not appeal the *Martinez v. COGCC* case, and allow the current law to stand that ensures public health, safety and welfare be a condition that must be met before oil and gas development occurs.

Thank you,

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Signature, City