

OUR VIEW: Governor stands up to bullies (poll)

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Thank you, Gov. John Hickenlooper, for standing up to the bullies who aim to control oil and gas deposits they do not own. By standing his ground, and defending private property rights, the governor protects the interests of a majority from a small community of extreme activists who use the environment as their cause.

Hickenlooper was heckled by three obnoxious anti-fracking protesters while participating in a civil debate with Boulder County Commissioner Elise Jones, a fellow Democrat, Monday at the University of Denver.

Jones argued that local governments should have more control than the state has over oil and gas production in residential zones. It is a big issue

in Colorado Springs, where the City Council has genuflected to extremists and neglected to pass reasonable oil and gas regulations.

State government and the oil and gas industry are suing Longmont over its complete ban on hydraulic fracturing. Hickenlooper has long insisted that oil and gas regulation is a function of the state. A geologist, Hickenlooper is an expert on oil and gas production. He correctly reassures the public that Colorado has the strictest oil and gas safety and environmental regulations in the country. State regulations protect nearby homeowners with mandatory minimum setbacks. They protect water with testing requirements and mandatory disclosure of chemicals in fracking fluid. They protect the property rights of those who own minerals beneath the ground.

As Hickenlooper speaks with a command of facts, his foes talk like this:

"You are a liar who works on behalf of the oil and gas industry," said a heckler, three minutes into the forum. He was escorted away.

Another yelled: "You just give lip service to green energy, but you don't do anything. Look around; green energy is not here. We're surrounded by oil and gas, and it's killing us."

Environmental activists share a unique talent for harming their own purported cause. By fighting nuclear energy in the '70s and '80s, they managed to secure decades more dependence on coal. Other countries, most notably France, successfully harnessed atomic fission as a cleaner, more sustainable source of power.

Today, by taking on fracking, activists could sabotage production of natural gas. As Hickenlooper tried to explain to his opponents Monday, natural gas is the cleanest way to transition from dirtier fossil fuels to future sources like solar and wind — sustainable prospects that some in the oil and gas industry are racing to develop. Powering an electric plant with natural gas, Hickenlooper explained, can cut air pollution from a coal-fired plant by 80 percent.

The governor should not waste a lot of energy trying to convince these extremists of anything. They have worked themselves into a belief that Hickenlooper sits around in smoke-filled rooms conspiring with oil executives who want to pillage Mother Earth for no apparent reason. It may be how they justify crude efforts to deprive others the reasonable use of private property.

Nearly all who buy residential properties sign documents clearing up any ambiguities about the rights to minerals below their homes. Buying a house and yard does not mean buying the oil and gas hundreds of feet beneath them. So none should act surprised when lawful owners attempt to harvest the oil and gas they paid for. If owners lack the option of mining for their minerals from nearby properties they own or lease, they cannot possibly make reasonable use of their oil and gas.

Sure, some residential property owners would love to control that which they did not buy. Five-year-olds share their philosophy: "What's mine is mine and what's yours is mine."

So they try to stand between minerals and their owners. It is, effectively, attempted theft. Local politicians stand far more to gain by backing the property thieves — local voters who outnumber the mineral owners.

"What planner, what affected neighborhood or elected official is not going to want to get rid of or make it impossibly hard to get to those minerals?" Hickenlooper asked.

Given the temptation for local politicians to aid and abet property deprivation, oil and gas owners have only state government to protect the property rights guaranteed them in the Fourth and Fifth amendments and at least 15 other clauses in the Constitution.

Mineral rights, and the ability to exercise them, must be protected by state government if society is to continue powering cars, homes and businesses with fossil fuels. We must protect mineral rights if we are to continue building solar panels and windmills. Just as importantly, the state must protect mineral access to preserve the right to private property — which is no less integral to liberty than freedom of speech.

Gov. Hickenlooper, don't let the bullies get you down. Keep defending the majority of Coloradans who understand the need for oil and gas production in their state.

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