

Full Steam Ahead: Albany Rally 3/24/11 Requesti...

Subject: Full Steam Ahead: Albany Rally 3/24/11 Requesting Governor Cuomo to Expand Scope of draft SGEIS per Executive Order No. 41
From: Walter Hang <walter@toxicstargeting.com>
Date: Tue, 22 Mar 2011 23:11:59 -0400
To: signatories@lists.toxicstargeting.com, signatories_list@lists.toxicstargeting.com, broomecounty@lists.toxicstargeting.com

Greetings,

We are **Full Steam Ahead for a Noon Rally this Thursday at the New York State Capitol** (West Capitol Park, Swan Street Steps) requesting Governor Andrew M. Cuomo to expand the scope of the Marcellus Shale draft Supplemental Generic Environmental Impact Statement (SGEIS).

I am pleased to let you know we will be joined by State Legislators, physicians concerned about gas drilling threats to public health, NYPIRG, NYRAD, Catskill Mountainkeeper, Sierra Club: Atlantic Chapter, acclaimed ecologist, Sandra Steingraber, and legendary environmental activist and author, Robert H. Boyle, who revealed GE's contaminated the Hudson River with PCBs (polychlorinated biphenyls).

Most importantly, grassroots activists and groups will be gathering at the Capitol from all over New York. Thank you so much for your strong support.

See the Rally site on the map below. Vote with your feet. Get there. No excuses. Every activist counts.

We are seriously beating the bushes for turn-out. Reach out far and wide. A bus is coming from Ithaca.

For info contact: Elaine Perkus <elaine.perkus@yahoo.com> Email me if you can give rides from Rochester or New York City: walter@toxicstargeting.com.

If you are arriving by bus, you should check with the Albany Police regarding drop off arrangements. You can take the South Mall Arterial from Route 787 to park under the Empire State Plaza. Then walk along the Concourse to the Capitol. If the lot is full, keep driving and exit onto South Swan Street. Then drive north past the Rally site and turn left onto Washington Avenue. There are parking garages along Washington west of the Rally site. There are also nearby parking lots. Stay on South Swan and cross Washington Avenue. Drive one block to Elk Street. You will see the lots.

Bring everyone you can find as well as your biggest signs and banners. After the rally, we will march to the Governor's office on the Second Floor of the Capitol to let him know we support his policy that New York's "watersheds are sacrosanct."

If you are trying to schedule meetings with your Assembly and State Senate representatives, please call in advance for appointments. You should wear business attire.

Snow is predicted tomorrow for the Southern Tier and the Finger Lakes. Please travel safely. Leave early. Drive slowly.

Finally, and most importantly, I wish to emphasize why Executive Order No. 41 is critical for

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safeguarding New York from horizontal hydrofracturing. Many activists erroneously believe a **Final SGEIS** will be published on June 1, 2011 and that drilling could begin a month later.

That is totally untrue.

DEC is required to "make such revisions to the Draft SGEIS that are necessary to analyze comprehensively the environmental impacts associated with high-volume hydraulic fracturing combined with horizontal drilling, ensure that such impacts are appropriately avoided or mitigated..."

Executive Order No. 41 then requires: "On or about June 1, 2011, the Department shall publish a **Revised Draft SGEIS** (emphasis added), accept public comment on the revisions for a period of not less than thirty days, and may schedule public hearings..." Meeting that deadline is exceedingly unlikely. Commissioner Martens said so. Moreover, I guarantee any Revised Draft will be woefully inadequate.

Finally, the Order specifies: "Recognizing that, pursuant to SEQRA, **no permits may be issued prior to the completion of a Final SGEIS** (emphasis added), the Department, subsequent to the conclusion of the public comment period, shall report to the Governor on the Final SGEIS and the regulatory conditions that are necessary to include in oil and gas well permits to protect public health and the environment."

In conclusion, DEC faces huge hurdles before horizontal hydrofracturing can be permitted in New York's Marcellus Shale. If we succeed in expanding the scope of revising the draft SGEIS, it would likely take years for DEC to fulfill Executive Order No. 41.

The *de facto* moratorium would remain in force until a Final SGEIS is adopted. At a bare minimum, fulfilling Executive Order No. 41 would require a great deal of work as well as a lengthy period of time. The longer, the better.

Hope to see you in Albany on Thursday.

Best,

Walter

Call and email Governor Andrew Cuomo, EPA Regional Administrator Judith Enck, DEC Commissioner Joseph Martens and New York City Mayor Michael Bloomberg. Ask them to support:

Expanding the scope of the draft SGEIS to include additional concerns, notably how to manage gas drilling wastewater;

Establishing Citizens and Technical Advisory Committees to help DEC revise the draft SGEIS;

Providing at least 30 days public comment to identify additional issues to be included in the draft SGEIS scope;

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Requiring individual EIS reviews for horizontal hydrofracturing permits, "GA effluent limitations" for hydrofracturing, deep well injection and wastewater treatment as well as updating DEC's 1992 GEIS.

Please bcc: info@toxicstargeting.com

- * Governor Andrew Cuomo
<http://www.governor.ny.gov/contact/GovernorContactForm.php>
518-474-8390 (o)
- * EPA Regional Administrator Judith Enck
enck.judith@epa.gov
212-637-5000 (o)
- * DEC Commissioner Joseph Martens
518-402-8545 (o)

joemartens@gw.dec.state.ny.us

Mayor Michael R. Bloomberg
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New York, NY 10007
PHONE 311 (or 212-NEW-YORK outside NYC)
FAX (212) 312-0700
E-MAIL: <http://www.nyc.gov/html/mail/html/mayor.html>

You can read Ian Urbina's three front-page stories in The New York Times and check out the accompanying graphics/document applications at: http://topics.nytimes.com/top/news/us/series/drilling_down/index.html

I posted a compilation of key horizontal hydrofracturing documents at: http://www.toxicstargeting.com/MarcellusShale/documents/epa_state_other_110303

You can hear me discussing those documents on Democracy Now at: <http://www.toxicstargeting.com/news/2011-03-04/leaked-epa-documents-expose-decades-old-effort-hide-dangers-natural-gas-extraction>

You can hear a podcast about the documents at: http://www.whcu870.com/topic/play_window.php?audioType=Episode&audioid=5196455

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