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Member of Assembly  
125<sup>th</sup> District

4/13/11

Honorable Andrew M. Cuomo  
Governor State of New York  
The Capitol  
Albany, NY 12224

Dear Governor Cuomo:

We, the undersigned members of the New York State Legislature, write to thank you for signing a continuation of Executive Order No. 41 as one of your first official acts. That order requires your Department of Environmental Conservation (DEC) to: "analyze comprehensively the environmental impacts associated with high-volume hydraulic fracturing combined with horizontal drilling..." DEC is then required to revise its Marcellus Shale DRAFT Supplemental Generic Environmental Impact Statement (DRAFT SGEIS) to address widespread criticism of the original document.

With regard to implementing Executive Order No. 41, we respectfully submit two requests for your consideration.

First, extensive new scientific and technical information has become available since the SGEIS proceeding began nearly three years ago. This includes data gleaned from more than 30,000 pages of documents recently brought to light by The New York Times in a three-part series. We request that you require a public comment period of no less than 30 days to afford interested parties an opportunity to identify sources of new natural gas drilling information that DEC should review in order to revise its DRAFT SGEIS.

Second, DEC originally excluded a wide range of critical issues from the scope of the SGEIS. Those issues include, but are not limited to: preventing natural gas drilling wastewater hazards; identifying, assessing, avoiding and mitigating public health threats; conducting a cumulative impacts assessment; safeguarding drinking water supply sources and granting New York State Department of Health co-lead agency status in the SGEIS proceeding.

We request that you require the scope of the SGEIS to be expanded to include those issues and all other issues required to fulfill Executive Order No. 41. The public should be allowed to comment on that matter.

In conclusion, you have repeatedly said you believe horizontal hydrofracturing of Marcellus Shale must only be allowed to proceed in New York State based on "good science." Our requests are entirely consistent with that policy.

Please do not hesitate to contact us if you have any questions we might be able to answer. We look forward to your prompt reply.

Very truly yours,

Barbara Lipton  
Barbara Lipton

Audrey Pfeffer  
~~Audrey Pfeffer~~ Audrey Pfeffer

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