



December 21, 2012

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

Mr. Joseph Martens, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1010

Request to Extend Comment Period for Fracking Regulations to 90 Days

Dear Governor Cuomo and Commissioner Martens:

We, the undersigned local elected officials in New York State, on behalf of over 550 members of Elected Officials to Protect New York, request an extension of the 30-day comment period on the above referenced revised regulations on high-volume hydraulic fracturing to a minimum of 90 days. The 30-day comment period does not allow sufficient time for local governments to adequately review the revised regulations.

While these revised rules are designed in part to protect local governments from the impacts of fracking, the monthly meeting schedule of most local governments, operating under the Open Meetings Law, means that most local governments will be unable to respond at all to these critical regulations. Many municipalities do not even meet between now and January 11. Such a short comment period, especially during a period of major religious and national holidays, is inadequate for any reasonable public review of such extensive regulations.

This request is about good government. Local governments will have to govern under whatever fracking regulation the State eventually issues if fracking is allowed. For its local government partners, New York State must allow at least a 90-day comment period so that local governments can participate.

Therefore, we request that the NYSDEC extend the public comment period on the revised regulations to a minimum of 90 days and, as per our attached letter previously sent on December 3, the health review be made public and opened for public participation.

We appreciate the opportunity to meet with Commissioner Martens on November 13. However, we reiterate our request to meet directly with you, Governor Cuomo. Many new serious concerns about fracking have emerged since we first wrote to you on June 4. We know you have met with industry representatives; it is time that we, local elected officials, bring the people's voice to the Second Floor.

Thank you for your consideration.

Sincerely, on behalf of more than 550 Elected Officials to Protect New York,

Bob Aiello

Legislator
Ulster County

Kathie Arnold

Legislator
Cortland County

Don Barber

Supervisor
Town of Caroline
Tompkins County

Penny J. Beebe

Trustee
Village of Freeville
Tompkins County

Debra Brock

Councilmember
Town of Preble
Cortland County

Doug Bullock

Legislator
Albany County

Will Burbank

Legislator
Tompkins County

Dominick Calsolaro

Councilmember
City of Albany
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Carl Chipman

Supervisor
Town of Rochester
Ulster County

Fred Culbert

Councilmember
Town of Springfield
Otsego County

James Dean

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Village of Cooperstown
Otsego County

Jim Dennis

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Dave Edwards

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Herbert J. Engman

Supervisor
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