



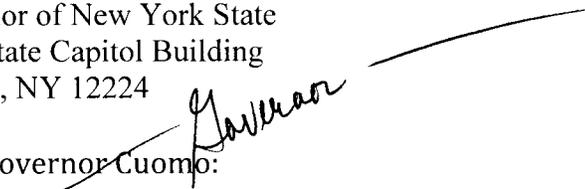
THE ASSEMBLY
STATE OF NEW YORK
ALBANY

BARBARA LIFTON
Member of Assembly
125th District

CHAIR
Assembly Steering Committee
COMMITTEES
Agriculture
Election Law
Environmental Conservation
Higher Education
Mental Health
Legislative Commission on Rural Resources

October 1, 2012

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


Dear Governor Cuomo:

I write to express my thanks for listening to the grave concerns of tens of thousands of New Yorkers, and your decision, and that of Commissioner Martens, to conduct a review of health impacts from high-volume hydro-fracking.

Having been to Pennsylvania twice over the past two years, I am deeply concerned about the negative health impacts on New Yorkers from HVHF. I met with people who believe they had barium poisoning due to drilling near their homes and water supplies (barium is one of the components of drilling mud and also comes from shale produced water itself). We also have studies showing serious health impacts from other states (such as increased asthma and breast cancer in Texas, apparently due to drilling).

I am very glad that you and the DEC share that concern and have proposed a review by the DOH and outside experts of a Health Impact Assessment (HIA), apparently done by the DEC in the latest draft of the SGEIS. I was very surprised when the Commissioner told me in an Assembly hearing that there was no health study in the prior draft, as increased setbacks would preclude the need for such a study. I, like many New Yorkers, was shocked that such an important and prominent concern had been completely overlooked.

From what I am reading in the media, it is clear that public comment will be required for this new study, and I am glad also for that determination.

In regard to the issue of independence of such a study, I agree with Commissioner Martens that government should be the objective reviewer. But many New Yorkers feel that the DEC has tarnished its public trust through the many serious flaws in this process and document. This HIA process must be taken as an opportunity to restore the public's trust on this critical issue of hydro-fracking. In order to do that and get to a strong consensus on this paramount issue of public health, this HIA process must be as open and transparent as possible, with many independent eyes able to watch -- all parties able to come to the table. We need a

very active citizens' advisory committee with doctors, medical experts and other scientists who have voiced concerns to be aware of how this study is being done and, indeed, fully-engaged in the process. I cannot urge strongly enough that this study and review be of the highest integrity. A flawed process or flawed study, in this instance, would create lasting damage, I fear, to the reputation of our DEC and our state -- as a state that cares deeply about the environment and the health of its citizens.

Of course, I remain concerned about other matters, as well – wastewater treatment and disposal, cumulative impacts, the use of LPG as a fracking fluid, etc. Those issues must be properly studied and resolved, as well, before the state can consider embarking on a plan to allow hydro-fracking in New York. As you may know, I have called for the withdrawal of the SGEIS in order to allow for that more detailed study. I remain committed to ensuring that New Yorkers are protected from the potentially-harmful effects of this technology.

Again, thank you for responding on the HIA; I hope it bodes well for the consideration of the other outstanding issues, as well.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Lifton". The signature is written in black ink and is positioned above the printed name.

Barbara Lifton
Member of Assembly
125th District

Cc: DEC Commissioner Martens