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Cuomo on fracking: Decision too important to rush

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Gov. Andrew Cuomo / File Photo

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ALBANY — Gov. Andrew Cuomo on Wednesday pushed back against the suggestion his administration is playing politics in further delaying a decision on hydraulic fracturing, saying the issue is “too important to make a mistake.”

Cuomo’s administration this week said it would not meet a Feb. 27 deadline to finalize a set of long-awaited regulations for high-volume fracking, the method used to extract natural gas from shale formations. In a letter Tuesday, Health Commissioner Nirav Shah said he needs a “few weeks” to complete a review of fracking’s impacts on human health — a study he launched in September.

Speaking in Queens on Wednesday, Cuomo told reporters he wouldn’t rush Shah to meet an “arbitrary” deadline.

“I don’t think that’s prudent and I don’t think that’s right and I won’t do it,” said Cuomo, who reiterated his call for a decision based on “facts and information” and not “emotion”.

The delay sparked a renewed round of criticism from gas-drilling supporters, who have expressed continued frustration with the state’s indecisiveness on whether to open the gas-rich Marcellus Shale formation to drilling.

In a statement Wednesday, the head of the Independent Oil & Gas Association of New York criticized a favorite Cuomo slogan — “New York is open for business” — by saying “the only economic sign we see is ‘Keep Out.’”

“This latest delay may seem inconsequential in the context of a four-plus-year regulatory review process, but it is not when one considers the benefits other states are experiencing,” said Brad Gill, the industry trade group’s executive director. “It’s difficult to determine how the science of safe natural gas development becomes so much more difficult when you cross the border from Pennsylvania to New York.”

The Department of Environmental Conservation first launched its own review of large-scale fracking in 2008, 17 months before Cuomo took office.

Since then, the issue has only intensified across the state, with Cuomo, a Democrat, facing pressure from his party’s base and an [aggressive](#), well-organized movement of anti-fracking activists. Statewide polls have only complicated the matter for Cuomo, with a Siena College survey this month showing an even split among fracking supporters and opponents.

Cuomo received praise from environmental groups for his administration’s decision to allow the Feb. 27 deadline to lapse, which will require the DEC to re-propose the regulations and subject them to 45 days of public comment and a hearing.

“I was impressed that they weren’t just holding their finger up and looking at the political winds and which way the political winds were blowing, but they were actually reading science,” Robert F. Kennedy Jr., president of the Waterkeeper Alliance and Cuomo’s former brother-in-law, said Tuesday.

Some groups, however, expressed concern with statements made by DEC Commissioner Joseph Martens, who suggested his agency may move forward with issuing fracking permits before the regulations are finalized if Shah’s health review doesn’t raise any uncontrollable issues.

If that were to happen, the DEC would apply certain conditions on each gas well permitted rather than have regulations that apply across the board. The agency has issued conventional gas-drilling permits under such a system since 1992.

“Needless to say, the state would be on extremely shaky legal ground should it choose that course,” said Deborah Goldberg, managing attorney for Earthjustice, an environmental law group.

Cuomo said the state has gone through a “deliberative process” in coming to a decision on fracking.

“People say you should rush; I’m not going to rush anyone,” he said. “If the health commissioner says he needs more time to come to an intelligent conclusion, then he needs more time to come to an intelligent conclusion.”