

AG voices opinion - in 128-page report: Andrew Cuomo WOULD ban gas mining near watersheds

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B. Smith for NewsAG Andrew Cuomo would ban drilling near city water supplies, according to a 128-page report obtained by the Daily News.

Attorney General [Andrew Cuomo](#) has taken sides on a divisive upstate-downstate issue: He wants the state to consider banning potentially toxic gas drilling in places that drain into the city's water supply.

He's just not going out of his way to say so.

Cuomo's conclusions are contained in a 128-page report filed three months ago by a little-known official in his office, who refused to provide it until the Daily News requested it under the Freedom of Information Law.

The report says the state's drilling plan "should include consideration of ... prohibiting such drilling in that watershed" - and "should include additional protective mitigation measures."

Cuomo has been ridiculed for not taking a stand on issues he'll have to face when he runs for governor - like how to close the \$9 billion hole in the state budget.

Drilling is an easy issue for city residents - do you want to drink the chemical stew used in a mining technique called hydrofracking?

[Mayor Bloomberg](#)'s administration has come out strongly against it, as have many other city officials.

It's much more complicated upstate. Natural gas companies are offering big payments to cash-strapped farmers and landowners, as well as new jobs for depressed towns.

Upstate residents have long had a grudge against the city about its water supply.

The city tries to block development around the reservoirs and buys up property near them to keep the water quality pure. Locals say that stops the growth and jobs they need, while putting limits on their land.

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A candidate running statewide would naturally try to avoid angering either side for as long as he can.

course.

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Gov. Paterson has tried to have it both ways. He has stayed publicly neutral, but his top aides pushed the Department of Environmental Conservation to rush out a drilling plan in hopes of winning upstate support.

That draft plan would allow gas wells right next to the city's reservoirs, which supply drinking water to 9 million people.

DEC says the plan would be safe. Cuomo's report says there's no way to tell, because the plan "does not currently provide evidence based on science or scientific literature to support that conclusion."

Ouch.

The report was prepared by Philip Bein, the Watershed inspector general, who works in Cuomo's office and was jointly appointed by Cuomo and Gov. Paterson.

An official in Cuomo's office confirmed that the attorney general agrees with Bein's conclusions. Paterson's spokesman was unaware of Bein's report and said the governor will wait for DEC to finalize its plan before taking a position.

Manhattan Borough President Scott Stringer, a potential mayoral candidate who has made the threat of gas drilling a signature issue, said no one knew Cuomo had taken a position three months ago.

"I'm certainly pleased that he's taken this position," Stringer said. "The attorney general's opinion is very significant."

Once you can figure out what the opinion is, of

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