

WHITEMAN OSTERMAN & HANNA LLP

ATTORNEYS AT LAW

ONE COMMERCE PLAZA  
ALBANY, NEW YORK 12260  
TEL 518.487.7600  
FAX 518.487.7777  
woh.com

TERRESA M BAKNER  
PARTNER  
TEL 518 487 7615  
FAX 518 487 7777  
[tbakner@woh.com](mailto:tbakner@woh.com)

March 27, 2007

Mr. Steven Schassler, Regional Director  
NYSDEC Region IV  
1130 North Westcott Road  
Schenectady, New York 12306

**Re: In the Matter of the Application by Cobleskill Stone Products, Inc. for a  
Mined Land Reclamation Permit;  
Application No. 4-4342-00001/00019**

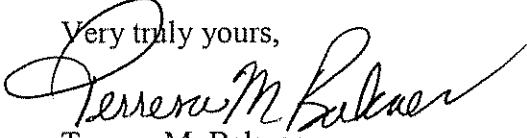
Dear Mr. Schassler:

This law firm represents Save Our Schoharie, Inc. ("SOS") concerning Cobleskill Stone Products, Inc.'s application to mine a +/- 69 acre parcel of land in the Town and County of Schoharie, State of New York. Due to the Department of Environmental Conservation's decision to hold a legislative public hearing in this matter prior to deciding whether to hold an adjudicatory hearing in accordance with 6 NYCRR 671.8, SOS is compelled to submit the enclosed Petition for Full Party Status and Adjudicatory Hearing. This Petition is also being personally served upon Cobleskill Stone Products, Inc. today and proof of service will subsequently be filed with the Department.

If the Department sends this matter to adjudication, SOS reserves the right to supplement its Petition based upon comments made at the legislative hearing and submitted during the public comment period. SOS previously submitted a request under the Freedom of Information Law to obtain the transcript from the legislative public hearing, but that request has not yet been fulfilled by the Department. SOS will also subsequently support its Petition with a memorandum of law addressing the issues for adjudication, including, without limitation, the procedural violations of the State Environmental Quality Review Act which have occurred as a result of the Department's January 31, 2007 issuance of a notice of completion under 6 NYCRR 617.9, and the waste of the Department's resources being compelled by CSP even though mining is not an allowed use at the proposed site under the Town of Schoharie's 2005 Land Use Law. SOS respectfully requests that notice of any such adjudicatory hearing be given to this law firm in accordance with 6 NYCRR 624.3.

SOS's Petition and the appendices thereto also constitute SOS's technical and substantive comments on the Draft Environmental Impact Statement prepared by CSP in support of its application.

Thank you.

Very truly yours,  
  
Terresa M. Bakner

c. Kent P. Sanders  
DEC Region IV

Blaise Constantakes, Regional Attorney  
DEC Region IV