

**We've done it!**

**On Wednesday, December 13 2017, CLEAN filed our first Article 78 lawsuit!**

CLEAN is bringing an Article 78 suit against the NYS Department of Environmental Conservation (DEC) for failing to require Cargill to carry out a Draft Environmental Impact Statement (DEIS) on their Shaft 4 project near Sweazey Road in Lansing, NY. A DEIS is clearly required by the State Environmental Quality Review Act (SEQRA) and DEC regulations.

The DEC has been either unwilling or unable to obtain sufficient cooperation from Cargill to conduct a meaningful environmental review during the past 40 years. In fact, the DEC has never required Cargill to produce any DEIS. More importantly, there has been no transparency and no opportunity at a public hearing to raise issues of mine safety and the ecology and well being of the lake. CLEAN and co-plaintiffs will be asking a judge to mandate that DEC require Cargill to carry out a DEIS before Cargill constructs the shaft.

This case is being handled by Environmental Attorney Richard Lippes, who has fought and won numerous Article 78 filings. CLEAN and the ten individual petitioners were joined by the Towns of Ithaca, Ulysses, and Union Springs, and the City of Ithaca, representing more than 56,000 citizens.

**Today we need your support more than ever as we bring the fight to protect Cayuga Lake into the courts. Tax deductible donations can be made to CLEAN [here](#).**

The second Article 78 suit will be made to counter the pending renewal of Cargill's mining permit without environmental review. It is clear the Cargill has been violating their permit and it's time that the DEC stepped up to protect Cayuga Lake and all of us who rely on the Lake. Cargill filed for a permit renewal on Nov 1, 2017 and the existing permit is being extended administratively. It is expected that DEC will renew the permit before the year's end. Read more about our suits [here](#).

You can be part of this fight! Your tax-deductible donation will go directly to fighting to protect Cayuga Lake

Thank you for your support.

CLEAN

[CLEANcayugalake.org](http://CLEANcayugalake.org)

**Clean** the Lake.  
**Protect** the Lake.