

# Exhibit 108



PO Box 769 Lake George NY 12845 (518) 685-3088  
[info@protectadks.org](mailto:info@protectadks.org) [www.protectadks.org](http://www.protectadks.org)

**From:** Deb Capezzuti <capezzd@assembly.state.ny.us>  
**To:** Julia Tighe <jwtighe@gw.dec.state.ny.us>  
**Date:** 8/6/2013 10:53 AM  
**Subject:** NYCO

Julie,

Mark Behan reached out to us with proposed language for the ballot-Mark feels that the revised language still references mining to often and also referring to NYCO as a private company. He also suggested changing the word "assessed" to "appraised" but the CA bill clearly states "assessed", which we need to be consistent with- as you can see he wants to include the 1500 acres which I don't think we can do as it is not mentioned in the CA in that manner. I do like the terminology "for mineral exploration and extraction in exchange for". Elizabeth said that DEC and Assembly signed off on this yesterday which we were not aware of-I was off last Thursday and Friday. Please let me know your thoughts-thanks Deb Below is Behan's suggestion:

Behans suggestion:

The proposed amendment to Section 1, Article 14 of the State Constitution would authorize the Legislature to temporarily convey to NYCO Minerals Inc. 200 acres of forest preserve land in the Town of Lewis, Essex County, for mineral exploration and extraction in exchange for which NYCO Minerals Inc. would permanently convey to the state at least 1,500 acres to expand and improve public access to the forest preserve and would fully restore the condition of the borrowed 200 acres and return it to the forest preserve? Shall the amendment be approved?

--

Deb Capezzuti

Chief of Staff

Office of Assemblyman Dan Stec

940 Legislative Office Building

Albany, New York 12248

518-455-5565(p) 518-455-5710(f)

capezzd@assembly.state.ny.us

**From:** Julia Tighe  
**To:** Deb Capezzuti  
**Date:** 8/6/2013 11:25 AM  
**Subject:** Fwd: NYCO ballot language

>>> Julia Tighe 8/6/2013 10:52 AM >>>

In Relation to a Land Exchange in the State Forest Preserve with NYCO Minerals, Inc.

The proposed amendment to section 1 of article 14 of the Constitution would authorize the State to allow NYCO Minerals, a private company, to engage in mineral sampling operations on approximately 200 acres of forest preserve land, located adjacent to NYCO's existing mine in the town of Lewis, Essex County. The purpose of the sampling would be to appraise the value of such forest preserve land. The State would thereafter be authorized to convey such land to NYCO and, in exchange, NYCO would give the State at least the same amount of land of at least the same value, with a minimum assessed value of \$1 million, to be added to the forest preserve. When NYCO Minerals finishes mining, it would restore the condition of the land and return it to the forest preserve. Shall the proposed amendment be approved?