

Town of Fleming

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The Town of Fleming is an equal
opportunity provider and employer

September 13, 2021

Kristine Wheeler
Director, Bureau of Public Water Supply Protection
New York State Department of Health
Corning Tower
Albany, NY 12237

cc: The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Copies to: Senators Charles Schumer and Kristen Gillibrand, Congressman John Katko,
NYS Senators Mannion, Oberacker, Helming, and May, NYS Assembly members
Lemondes, Manktelow, and Lifton

Subject: Support for Approval of Revised Rules and Regulations for the Owasco Lake
Watershed

Dear Director Wheeler and Governor Hochul:

On September 13, 2021, the Town Board of the Town of Fleming, NY in Cayuga County
unanimously passed a Resolution supporting the updated Owasco Lake Watershed Rules
and Regulations. Our Town recognizes the efforts of the Owasco Lake Watershed
Management Council, Owasco Watershed Lake Association, Cayuga County Planning
and Economic Development Agency, Cayuga County Soil and Water Conservation
District, in addition to numerous other community agencies in assuring the quality and
integrity of the updated community consensus Owasco Lake Watershed Rules and
Regulations.

Fleming residents are immensely proud of the local private and public organizations and
partnerships that are working diligently to protect the watershed and water quality of
the necessary resource we have in Owasco Lake. As a result, we have made great strides

in improving the water quality of Owasco Lake. Our agencies are a model for other watersheds in NYS. It is imperative this process be encouraged to continue through approval of up-to-date regulations that reflect the local needs and state-of-the-art science.

The Town of Fleming, which relies on water quality for Owasco Lake as a source of drinking water, encourages timely approval of the updated Owasco Lake Watershed Rules and Regulations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald Olds".

Town Supervisor
Town of Fleming, NY
Cayuga County

RESOLUTION ENDORSING AND SUPPORTING THE ADOPTION
OF THE REVISED OWASCO LAKE WATERSHED RULES AND REGULATIONS

WHEREAS, Owasco Lake is the source of public water supply for the Town of Fleming, the Town of Owasco, the City of Auburn and approximately forty-five thousand water users within Cayuga County; and

WHEREAS, the water quality of Owasco Lake is directly impacted by its watershed, which includes the lake, its tributaries, and all watercourses tributary thereto and comprises approximately 205 square miles over Cayuga, Onondaga and Tompkins counties; and

WHEREAS, in 1984, pursuant to Public Health Law Section 1100, the New York State Department of Health adopted Title 10 of the New York Codes, Rules and Regulations, Section 104.1, which is commonly referred to as the Owasco Lake Watershed Rules and Regulations (the “Watershed Rules and Regulations”) a copy of which are attached hereto and incorporated herein; and

WHEREAS, the Watershed Rules and Regulations were adopted with the goal of enhancing protection and preservation of the water quality in Owasco Lake; and

WHEREAS, under the Watershed Rules and Regulations, the Town of Owasco and the City of Auburn are responsible for inspecting the watercourses within the watershed and for reporting violations in cases of noncompliance with the Cayuga County Health Department; and

WHEREAS, since 1984, the lands within the Owasco Lake Watershed have witnessed cumulative changes in land use and development; and

WHEREAS, IN 2016, Owasco Lake showed its first detectable levels of toxins associated with harmful blue green algae blooms in its raw and unfinished (treated) water; and

WHEREAS, the Town of Owasco and the City of Auburn, and Cayuga County have since worked cooperatively and with the Owasco Lake Management Council, Inc. to inspect, monitor, test, and when necessary, treat the water in order to continue to provide a clean public supply of water; and

WHEREAS, at the outset of the project, a Project Steering Committee was organized to lead the process by which the existing rules would be revised and this Committee included representatives from the City, the Town, the Owasco Lake Management Council, Inc., the Cayuga County Board of Health, as well as interested farmers; and

WHEREAS, over the last three years, the Steering Committee has worked together with staff representatives and Project Stakeholder groups, to hold eight (8) Steering Committee meetings, five (5) public meetings, and at least ten (10) staff meetings, in a coordinated effort to create and recommend a revised draft of the Owasco Lake Watershed Rules and Regulations; and

WHEREAS, in October 2020, approximately four (4) years after the first harmful blue green algae blooms were detected in Owasco Lake, a final draft of the revised Owasco Lake Watershed Rules and Regulations was transmitted to, the Town Board of Owasco, City Council of Auburn, Cayuga County, the public stakeholders and the general public for review, consideration and support; and

WHEREAS, the Town of Fleming now wishes to express its support for the adoption of the revised Owasco Lake Watershed Rules and Regulations, a copy of which are attached hereto and incorporated herein, by the New York State Department of Health.

NOW, THEREFORE, BE IT RESOLVED that the Town of Fleming Town Board does hereby express its appreciation and thanks to the Watershed Rules and Regulations Project Steering Committee, the Extended Staff Working Group Affiliations, Project Stakeholder Groups, staff and the public at large for all of the cooperative efforts and time spent in creating the revised Owasco Lake Watershed Rules and Regulations; and

BE IT FURTHER RESOLVED, that the Town of Fleming Town Board does hereby endorse and support the revised Owasco Lake Watershed Rules and Regulations, which are attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the Town of Fleming Town Board does hereby request that the New York State Department of Health repeal the existing 1984 Owasco Lake Watershed Rules and Regulations, which are cited at 10 New York

Codes, Rules and Regulations, Section 104.1, and replace the same with the revised Owasco Lake Watershed Rules and Regulations, attached herein; and

BE IT FURTHER RESOLVED that the Town of Fleming Town Board does hereby request that a certified copy of this Resolution together with a copy of the revised Owasco Lake Watershed Rules and Regulations be prepared and transmitted to the Cayuga County Department of Health so that it may be further transmitted to the New York State Department of Health for adoption; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

Dated: September 13, 2021

Motion by: Councilman Bell
Second: Councilwoman Riester

Roll call vote: Councilman Bell yes
Councilwoman Riester yes
Councilwoman VanLiew absent

Councilman MacDonald yes
Supervisor Oltz yes