



## CAYUGA COUNTY HEALTH DEPARTMENT

*"We promote and protect the health and well-being of the individuals, families and the community we serve."*

**Kathleen D. Cuddy, MPH**  
*Director of Public Health*

December 5, 2020

Kristen Wheeler, P.E., Director  
Bureau of Water Supply Protection  
New York State Department of Health  
Empire State Plaza-Corning Tower, Room 1110  
Albany, New York 12237

Dear Ms. Wheeler:

Enclosed please find five copies of the proposed rules and regulations to protect Owasco Lake as a source of public drinking water. I am sending it to you on behalf of the City of Auburn and the Town of Owasco, the water purveyors who draw from Owasco Lake. Also enclosed are the following: (1) resolutions endorsing and supporting the adoption of the proposed rules and regulations from the Town of Owasco and the City of Auburn, (2) an overview of the process and public outreach that were undertaken to develop these proposed rules and regulations, (3) public comments received as part of public outreach and responses to those comments, and (4) declarations of support for the adoption of the proposed rules and regulations from the Cayuga County Board of Health and citizen groups. More information can be found at the project website at the following link:

[http://www.cayugacounty.us/776/Owasco\\_Lake-Watershed\\_Rules\\_and\\_Regulations](http://www.cayugacounty.us/776/Owasco_Lake-Watershed_Rules_and_Regulations)

Owasco Lake is the source of public water supply for the City of Auburn, the Town of Owasco, and approximately forty-five thousand water users within Cayuga County. 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, with the goal of enhancing protection and preservation of the water quality in Owasco Lake.

Since that time, however, the water quality in Owasco Lake has declined as evidenced by increased aquatic vegetation and the proliferation of harmful algal blooms. In 2016, cyanotoxins were found in the public drinking water provided by the Town of Owasco and the City of Auburn. This year the City of Auburn had its highest level of toxins in its raw water since 2016. Furthermore, elevated levels of disinfection by-products have been found in many water systems in Cayuga County that purchase water from the Town of Owasco and the City of Auburn. Five public water systems were issued multiple violation notices in 2020 alone for exceeding the disinfection by-product maximum contaminant level. The presence of cyanotoxins and disinfection by-products pose a health risk to the people who drink the water produced from Owasco Lake. Clearly the 1984 Watershed Rules and Regulations are no longer adequate in protecting Owasco Lake as a drinking source.

The enclosed proposed regulations address the primary controllable factors that contribute to HABs and vegetative organic material in Owasco Lake and will result in a reduction in sediment and nutrient inputs from the current land use practices within the watershed. The proposed regulations also include a mechanism to obtain a variance from the regulations for those cases in which the characteristics of a particular site and/or practices that are in place are suitably protective of water quality.

We understand that there will be a cost borne by many residents within the watershed to comply with these regulations. The Owasco Lake Watershed Management Council, a partner in the development of these proposed regulations, is committed to seeking funding to help watershed residents, especially the agriculture community, comply with these regulations.

The development of these proposed regulations has taken over three years, involved input from many stakeholders with varied concerns and priorities, and encompassed countless hours of contemplation and debate. This serious and thoughtful process was undertaken because the stakes are high. Protecting water quality and providing clean drinking water is essential to the public health of Cayuga County.

We respectfully request that you give these proposed regulations your full consideration and endorsement. Please contact me if you have any questions or need further information.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen D. Cuddy". The signature is written in black ink and is positioned above the typed name and title.

Kathleen D. Cuddy, M.P.H., Public Health Director  
Cayuga County Health Department

Cc: Michael Quill, Mayor, City of Auburn (w/o enclosure)  
Ed Wagner, Supervisor, Town of Owasco (w/o enclosure)