

**THE SENATE
STATE OF NEW YORK**



RACHEL MAY
SENATOR, 48TH DISTRICT

Chair
Cities 2
Legislative Commission on
Rural Resources
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Aging
Agriculture
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Health
Housing, Construction and
Community Development

Albany Office
Legislative Office Building
Room 803
Albany, New York 12247
(518) 455-2838

District Office
State Office Building
Room 805
333 East Washington St.
Syracuse, New York 13202
(315) 478-8745
may@nysenate.gov

February 1, 2023

Dr. James V. McDonald M.P.H.
Acting Commissioner
NYS Department of Health
Corning Tower, Empire State Plaza
Albany, NY 12237

Dear Acting Commissioner McDonald,

As you may be aware, the Owasco Lake watershed faces serious challenges. Though not the largest of the Finger Lakes, it punches above its weight in terms of importance. The lake provides the City of Auburn with its primary drinking water supply and its tourism and recreational value is critical to the economy and quality of life in Cayuga County. Increasing use of the lake, development in the large watershed, and global warming are creating a number of pressures on this important watershed.

For these reasons, County and local officials, experts, and volunteers have put enormous time and effort into updating best practices for watershed management. On October 29, 2020, the Auburn City Council and the Owasco Town Board voted to express their support for the adoption of the revised Owasco Lake Watershed Rules and Regulations; and in December 2020 the Cayuga County Health Department formally transmitted the final proposed Owasco Lake Watershed Rules and Regulations to the New York State Department of Health.

That was more than two years ago. In 2021 the response and communication from the State government about the review of the proposed changes to the Owasco Lake Watershed Rules and Regulations was slow. In 2022, a State Interagency Workgroup that included local representatives had been meeting to review the proposed changes to the rules and regulations. The process was originally intended to be complete by the end of 2022, however, the State Interagency Workgroup, at the time of writing, has not met since November 4, 2022, and the current timeline for completion is undetermined.

For the last 6 years Owasco Lake was repeatedly polluted by massive HABs that closed beaches, impaired the best uses of the lake and contaminated raw water supplied from the lake with microcystins. On December 13, 2022, the Cayuga County Health Department received disinfection byproduct sample results from the City of Auburn for the fourth quarter of 2022 found the locational running annual average (LRAA) for total trihalomethanes (THMs), a group of disinfection byproducts, to be 81 parts per billion (ppb) a level

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that exceeds the standard set by the United States Environmental Protection Agency of 80 parts per billion (ppb) for this contaminant. On December 20, 2022, the Cayuga County Board of Health notified Governor Hochul of this current crisis and expressed its grave concern that NYS DOH has not yet completed their review of the proposed update to the Owasco Watershed Rules and Regulations.

It is paramount that the Department and sister agencies complete the process and update the Owasco Lake Watershed Rules and Regulations. Protecting the Finger Lakes is a critical state issue, and this action will help protect Owasco Lake. I request that the Department of Health (1) take immediate action to expedite and finalize the approval of the proposed changes to the Owasco Watershed Rules and Regulations and (2) provide me a briefing on the status of the regulations no later than February 24th. I look forward to working with you to protect this important watershed.

Sincerely,

A handwritten signature in blue ink that reads "Rachel May".

Rachel May
Senator, 48th District