

**COUNCIL RESOLUTION #102 of 2021**

**ASKING GOVERNOR HOCHUL TO REVIEW THE STATE'S CRITERIA AND DEADLINE CONCERNING THE OWASCO LAKE COMMUNITY CONSENSUS UPDATED WATERSHED RULES AND REGULATIONS**

Sponsored by Councilor Cuddy

September 9, 2021

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

**WHEREAS**, scientific research has shown that 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**, the Watershed Rules and Regulations were initially adopted in 1984, whereby local and state officials recognized the importance of a bottom-up environmental management approach, with the goal of enhancing the protection and preservation of water quality in Owasco Lake; and

**WHEREAS**, over a three year period prior to December 2020, the City of Auburn and the Town of Owasco facilitated community leadership to embark upon a robust public process led by Cayuga County, in a coordinated effort to create the science-driven revised draft of the Owasco Lake Watershed Rules and Regulations, with the ultimate goal of community consensus; and

**WHEREAS**, full transparency and inclusion were paramount at every step of the community consensus updated Watershed Rules and Regulations, resulting in a cooperative document developed by watershed residents, farmers, businesses, and stakeholders throughout the Owasco Lake Watershed, and the final update of the Watershed Rules and Regulations was sent to the NYS Department of Health in December of 2020; and

**WHEREAS**, the greatest current threat to Owasco Lake water quality are the annual occurrences of toxic algae blooms referred to as Harmful Algal Blooms (HABs), the first observed bloom of this year documented on August 5, 2021, the first occurrence of toxins detected in the raw water supply on August 16, 2021, and the highest concentration ever measured in the raw water on August 18, 2021; and

**WHEREAS**, local and regional experts recommend that water managers prioritize the reduction of nutrient transport from watersheds to reduce the occurrence of HABs in lake systems; and

**WHEREAS**, provisions set forth within the community consensus updated Watershed Rules and Regulations are well-recognized within, and recommended by, the local and broader scientific community to reduce nutrient loading to lake systems that are dominated by non-point source nutrient (watershed) nutrient loading; and

City of Auburn, New York

**WHEREAS**, the community consensus updated Watershed Rules and Regulations are science based, enhancing well-known environmental standards developed by New York State and Federal government; and

**WHEREAS**, the community consensus updated Watershed Rules and Regulations incorporate many of the short- and long-term priority action items outlined by the New York State Department of Health, NYS Department of Environmental Conservation, and NYS Agriculture and Markets within the HABs Action Plan; and

**WHEREAS**, in a public email delivered by the NYSDOH on August 2, 2021, NYSDOH leadership recognized the importance and precedent set by the Owasco Lake watershed community's undertaking of the Watershed Rules and Regulations update and concurrent Nine Element Watershed and Source Water Protection Planning projects; and

**WHEREAS**, the City of Auburn is committed to completing the Watershed Rules and Regulations update process to protect public health and, thereby, advance source water protection for the benefit of safe public drinking water; and

**WHEREAS**, the City of Auburn is concerned with the process and evaluation criteria used by the New York State Department of Health Bureau of Water Supply Protection for the timely adoption of the community consensus Owasco Lake Watershed Rules and Regulations and has been waiting for final response since the rules were submitted to the State in December of 2020; and

**WHEREAS**, the City of Auburn respectfully asks Governor Kathy Hochul to review and respond to the City's recommendations for the State review process.

**NOW, THEREFORE, BE IT RESOLVED** that the Auburn City Council does hereby require the following actions incumbent upon New York State as part of its review process:

- 1) Transparency: The State's review process should be an open and transparent process, similar to how the proposed rules and regulations were developed locally.
- 2) Inclusion: Representation from our municipalities shall be offered participation during the four-agency state review meetings.
- 3) Timeline: A clear timeline for internal New York State review shall be provided with milestone progress updates with an ultimate deadline by April 1, 2022; and

**BE IT RESOLVED** that the Auburn City Council respectfully asks Governor Kathy Hochul to review and respond to the City's recommendations for the State review process; and

**BE IT RESOLVED** that a certified copy of this resolution be sent to the NYS Commissioner of Health, The NYS Commissioner of the Department of Environmental Conservation, the NYS Commissioner of Agriculture and markets, the Secretary of the NYS Department of State and all of our State representatives.

City of Auburn, New York

Seconded by Councilor McCormick

	Ayes	Noes	Excused
Councilor McCormick	X		
Councilor Giannettino			X
Councilor Cuddy	X		
Councilor Locastro	X		
Mayor Quill	X		
Carried and Adopted	X		

STATE OF NEW YORK ) ) SS.:  
COUNTY OF CAYUGA )

I, CHARLES MASON, Clerk of the City of Auburn, Cayuga County, New York (the "City"), DO HEREBY CERTIFY:

That I have compared the annexed abstract of the minutes of the meeting of the Council of the City (the "Council"), held on the 9<sup>th</sup> day of September 2021, with the original thereof on file in my office, and the attached is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 9<sup>th</sup> day of September 2021.



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Charles Mason, Clerk  
City of Auburn, Cayuga County, New York