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

October 15, 2025

Dear Governor Hochul,

We respectfully request that you direct the New York State Department of Health (DOH) to adopt Watershed Rules and Regulations aimed at protecting Owasco Lake from contamination by nutrient pollution and harmful algal blooms. The issuance of these Watershed Rules and Regulations would be consistent with a recent New York State court ruling and protect the public health of residents of Cayuga County.

For the better part of the past decade, harmful algal blooms have threatened the drinking water of 45,000 residents of small towns and cities in Cayuga County that rely on the Owasco Lake Watershed. As happens annually, this month, these blooms began proliferating throughout Owasco Lake, contaminating water with toxins and chemicals that cause liver damage, decrease nervous system activity, and increase the risk of cancer. Year after year, Cayuga County health officials have been forced to close beaches, resulting in lost recreation time for residents and economic losses for local industries that depend upon clean lake water. Nutrient pollution is the main controllable contributor to this harmful algal blooms crisis, and Watershed Rules and Regulations can lessen the amount of nutrients reaching the Owasco Lake watercourse.

Cayuga County's local water purveyors, the City of Auburn and the Town of Owasco, have spent more than eight years trying to convince the State Department of Health (DOH) to fulfill its duty to issue Watershed Rules and Regulations for Owasco Lake. DOH formally rejected these requests to enact these new regulations, leading the City, the Town, and the Owasco Watershed Lake Association to file two lawsuits against the agency. In May and July, a New York State Supreme Court ruled against DOH in both lawsuits, concluding that the agency had both the authority and the duty to protect Owasco Lake from nutrient pollution. Specifically, the Court found that "[t]he science submitted and relied on by both sides clearly indicates that [harmful algal blooms] are negatively impacting the recreational safety of Owasco Lake and negatively impacting the potability of the drinking water that is sourced from Owasco Lake." The Court also noted that "that nutrient runoff from farms is one of the primary sources of harmful [algal blooms]." The Court added that it was "genuinely confused about why the DOH is donning proverbial blinders and refusing to acknowledge a fact that their own science proves," as we are, too. Finally, the Court urged DOH to stop "engaging in a power struggle with results that endanger New York's residents" and ordered the agency "to work collaboratively with the [the City of Auburn and the Town of Owasco] to draft updated WRRs that address the very real problem of nutrient pollution caused by agricultural practices."

Absent your intervention, the quality of Owasco Lake's water will continue to degrade, raising the possibility of a major drinking water emergency. As Governor, you can put an end to DOH's abdication of its responsibility and help uphold the environmental rights of Cayuga County residents to clean water. We will continue to advocate that you do so, and to press our case before the public, even if it takes years. This issue is not going away.

The State should not be working against the public health of its residents. We ask that you immediately direct DOH to propose for public notice and comment the Watershed Rules and Regulations submitted by the Cayuga County Health Department, the City of Auburn, and the Town of Owasco to DOH in 2020. That package of Watershed Rules and Regulations was drafted through a lengthy public participation process involving water quality experts, civic organizations, varied industries, local and county officials, and many members of the public.

Thank you for your time and consideration of this request. We look forward to the State's response.

Sincerely,

Trustee James Balloni
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Trustee Janet Murphy
Mayor James Orman
Village of Aurora
Board of Trustees