

May 8, 2023

Commissioner Basil Seggos
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1010

RE: Clean Water Plan for Cayuga Lake

Dear Commissioner Seggos,

The Community Science Institute (CSI), in coordination with the Cayuga Lake Watershed Network (the 'Network'), the Cayuga Lake Watershed Intermunicipal Organization (CWIO), and other watershed partners, request that the New York State Department of Environmental Conservation (DEC) and U.S. Environmental Protection Agency (EPA) Region 2 engage with the Cayuga Lake community on the status of a Clean Water Plan for Cayuga Lake.

In July 2021, Cayuga Lake stakeholders submitted comments on the draft Total Maximum Daily Load (TMDL) for Total Phosphorus in Cayuga Lake. [CSI's comments](#) focused on phosphorus loading estimates. In the intervening time (almost two years), there have been no formal updates on the status of this document, which could be serving as guidance for watershed management priorities and decision making.

It is critically important that the DEC and EPA finalize a Clean Water Plan for Cayuga Lake:

- **With each year that passes, Cayuga Lake faces new and compounding water quality challenges due to invasive species, aquatic weed overgrowth, climate change, increasing nutrient pollution from stormwater runoff, and harmful algal blooms (HABs).** These trends threaten ecosystem health, human health, and regional economic vitality. In 2017, our lake faced the most extensive toxic HABs season recorded to date, resulting in closures of six beaches for a total of 62 beach days. In 2022, over 70 HABs were recorded between July and October, 36 with microcystin levels exceeding the NYSDEC criteria for a highly toxic bloom ($\geq 20 \mu\text{g/L}$). Also in 2022, six large localized or widespread blooms exceeded $2000 \mu\text{g/L}$ (Community Science Institute). The New York State Department of Health (NYSDOH) has set safe limits for public drinking water supplies at $0.3 \mu\text{g/L}$ and for public swimming beaches at $4.0 \mu\text{g/L}$.
- **Finalization of the TMDL increases the likelihood of securing grant funds for projects developed in the Cayuga Lake watershed.** A TMDL is a recognized Clean Water Plan, which adds priority points to grant applications. Neighboring lakes with newly approved Nine Element plans, which also convey priority points, are already able to use the advantage in securing funding.
- **Finalization of the TMDL increases our ability to implement the DEC's Cayuga Lake HABs Action Plan recommendations.** The Cayuga Lake HABs Action Plan, which was finalized in 2018, refers to the pending TMDL as the source of detailed information on both high priority locations in the watershed and specific best management practices to reduce bioavailable phosphorus.

Cayuga Lake watershed stakeholders have spent extensive time and resources informing the development and revision of the Cayuga Lake TMDL. In 2012, monitoring was initiated by the NYS DEC to gather data to inform development of the TMDL for Phosphorus for Cayuga Lake. Lake and watershed

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models were produced for the DEC in 2016. Neither the pandemic nor the complexity of this TMDL explain the delay as Nine Element Plans have been started and completed for both Seneca-Keuka and Owasco Lakes during the same time frame.

CSI and our watershed partners request that DEC and EPA prioritize and expedite completion of a Clean Water Plan for Cayuga Lake.

Sincerely,

Grascen Shidemantle, Ph.D.

Executive Director

Community Science Institute

CC: The Honorable Governor Kathy Hochul

Rosella O'Connor, U.S. EPA

Javier Laureano, U.S. EPA

Assemblywoman Anna Kelles

Senator Lea Webb

Assemblyman Jeff Gallahan

Senator Rachel May

Assemblyman Phillip A. Palmesano

Senator Thomas O'Mara

NYS DEC Region 7 and Region 8 Directors, Dereth Glance and Timothy Walsh

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