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VIA ELECTRONIC and FIRST CLASS MAIL

Hon. Peter D. Lopez
Region 2 Administrator
US Environmental Protection Agency
290 Broadway
New York, NY 10007-1866

RE: CAYUGA NATION and CORNELL LAKE SOURCE COOLING
NEED FOR PROPER TMDL

Dear Administrator Lopez:

I hope this letter finds you well and I write on behalf of the traditional Council of Chiefs of the Cayuga Nation, in strong support of the October 25, 2019 letter from Walter Hang of Toxics Targeting; and to urge the agency to set a proper TMDL for phosphorous, in the southern end of Cayuga Lake.

In order to properly comply with the Clean Water Act, the TMDL must be set to completely eliminate the untreated discharge of the phosphorous-rich waters from the Cornell Lake Source Cooling (CLSC) system. For at least a couple of decades, Cornell's system has taken a positive concept of using the cool waters of the lake to cool their campus buildings, and made it destructive to the lake, because of the system's faulty design.

This is caused by their failure to implement a closed loop system, which should be required for all such heat exchange systems. Instead, Cornell draws water from the deepest part of the lake, which is concentrated in Soluble Reactive Phosphorous, and discharges it into the shallow, southern end of the lake which is already impaired due to excess phosphorous and harmful algae blooms.

Cayuga Lake is sacred to the Cayuga Nation, to whom it is a living relative. The Nation's leaders are mandated by the Haudenosaunee Great Law of Peace to be stewards of the lake and to protect it, the fish and all forms of wild life, for future generations. The

failure by federal and state agencies to properly set TMDLs that would actually protect the lake and its waters, interferes with this stewardship responsibility.

Cayuga villages used to line the lake on both shores and the Nation Chiefs, Clan Mothers and Faithkeepers protected the lake, its waters, fish and birds for centuries before European colonialism. In return, the lake provided sustenance for their people. It saddens the Nation and its leaders greatly to see the harm that has been caused to the lake and its waters, in such a short period since the lake was illegally taken from the Nation, in violation of our Treaties, federal law and the US Constitution.

I hope this letter is clear, and we would be pleased to discuss this critical matter with you or your staff. Please advise.

Sincerely,

Joseph J. Heath

Joseph J. Heath
Counsel for Tradition Cayuga Nation Council

cc: H.E.T.F.
Sachem Samuel George