



## Tompkins County Legislature

Governor Daniel D. Tompkins Building  
Ithaca, NY 14850

Meeting: 01/20/26 05:30 PM

Department: Tompkins County Legislature

Category: Legislation or Funding - State and Federal

Functional Category:

### SCHEDULED

RESOLUTION NO. *DOC ID: 13804*

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## 1 **Resolution Requesting New York State Department of Environmental 2 Conservation (DEC) to Reject the Modified Water Withdrawal Permit 3 Application from Cayuga Operating Company, LLC (DEC ID #7-5032- 4 00019/00004) and Instead Require a New Application and 5 Environmental Review Process (Submitted by Legislator Dawson)**

6 WHEREAS, in 2021, Cayuga Operating Company LLC filed a water withdrawal permit application (DEC ID#  
7 7-5032-00019/00004) seeking authorization from the New York State Department of Environmental Conservation  
8 (DEC) to withdraw 1.008 million gallons of water per day from Cayuga Lake for an unspecified future use, and  
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10 WHEREAS, Cayuga Operating Company LLC is a subsidiary of TeraWulf Inc., and  
11

12 WHEREAS, TeraWulf, Inc. is seeking permits to build a 400 MW high performance data center on the site of  
13 a former coal-fired power plant once owned by Cayuga Operating Company LLC in the Town of Lansing in Tompkins  
14 County, and  
15

16 WHEREAS, the existing water withdrawal authorization and supporting record were developed in the context  
17 of a power generation facility, and since December 2019, the site has not operated as a power plant, and  
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19 WHEREAS, the DEC's program guidance states that if "the application involves a material change in existing  
20 permit conditions or in the scope of the permitted actions," the Department may treat an application for renewal or  
21 modification of a permit as an new application for a permit (NYCRR 6 § 621.11 (h)(1)), and  
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23 WHEREAS, the proposed redevelopment from a power plant to a data center is a material change in the  
24 facility and its potential demands regarding water withdrawal and related infrastructure, and therefore warrants a  
25 complete re-evaluation of need, impacts, and enforceable operating conditions, and  
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27 WHEREAS, public statements by TeraWulf indicate the facility would use a cooling system that would not  
28 require withdrawal of lake water, the permit application only specifies that water is needed for fire suppression and  
29 does not specify whether withdrawal is needed for cooling, redundancy, process loads, or other uses, and  
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31 WHEREAS, by letter dated October 31, 2025, TeraWulf Inc's Chief Strategy Officer advised Town of Lansing  
32 Board members that Cayuga Operating Company LLC "has formally agreed to surrender its Water Withdrawal permit  
33 in the event the Cayuga Data Campus receives requisite permits and approvals to advance as planned", and  
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35 WHEREAS, Cayuga Lake is essential to the environmental and economic well-being of hundreds of thousands  
36 of residents of Tompkins and other counties that surround it and, as such, its waters are too valuable to be used as an  
37 inducement for the issuance of local permits, and  
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39 WHEREAS, the application characterizes a significant portion of the withdrawal as related to fire service/fire  
40 suppression despite water withdrawals used for fire suppression or other public emergency purposes being exempt  
41 from the requirement to obtain a water withdrawal permit under 6 NYCRR § 601.9(h), now therefore be it  
42

43 RESOLVED, That the Tompkins County Legislature requests that the DEC determine that the pending

1 submission should not be processed as a routine renewal/modification and instead require processing as a new permit  
2 application with a project-appropriate environmental review suitable to a data center/high-intensity computing  
3 operation,

4  
5 RESOLVED, further, That with the new application, the DEC should require a transparent, technically  
6 supported accounting of the maximum and expected withdrawals, by end-use; seasonal and peak operational scenarios;  
7 intake/discharge configuration and operational controls; and potential impacts on water quantity, water quality, and  
8 water-dependent natural resources (including cumulative impacts),

9  
10 RESOLVED, further, That the Clerk of the Legislature is here by directed to transmit a copy of this resolution  
11 to New York State Department of Environmental Conservation Commissioner Amanda Lefton, Regional Director  
12 Dereth Glance (Region 7), Assistant Permit Administrator Jonathan Stercho (Region 7), as well as New York State  
13 Senator Lea Webb and Assemblymember Anna Kelles.

14 **SEQR ACTION:** TYPE II-26