



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

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

WHEREAS, Cayuga Operating Company LLC is a subsidiary of TeraWulf Inc., and

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

WHEREAS, the existing water withdrawal authorization and supporting record were developed in the context of a power generation facility, and since December 2019, the site has not operated as a power plant, and

WHEREAS, the DEC's program guidance states that if "the application involves a material change in existing permit conditions or in the scope of the permitted actions," the Department may treat an application for renewal or modification of a permit as an new application for a permit (NYCRR 6 § 621.11 (h)(1)), and

WHEREAS, the proposed redevelopment from a power plant to a data center is a material change in the facility and its potential demands regarding water withdrawal and related infrastructure, and therefore warrants a complete re-evaluation of need, impacts, and enforceable operating conditions, and

WHEREAS, public statements by TeraWulf indicate the facility would use a cooling system that would not require withdrawal of lake water, the permit application only specifies that water is needed for fire suppression and does not specify whether withdrawal is needed for cooling, redundancy, process loads, or other uses, and

WHEREAS, by letter dated October 31, 2025, TeraWulf Inc's Chief Strategy Officer advised Town of Lansing Board members that Cayuga Operating Company LLC "has formally agreed to surrender its Water Withdrawal permit in the event the Cayuga Data Campus receives requisite permits and approvals to advance as planned", and

WHEREAS, Cayuga Lake is essential to the environmental and economic well-being of hundreds of thousands of residents of Tompkins and other counties that surround it and, as such, its waters are too valuable to be used as an inducement for the issuance of local permits, and

WHEREAS, the application characterizes a significant portion of the withdrawal as related to fire service/fire suppression despite water withdrawals used for fire suppression or other public emergency purposes being exempt from the requirement to obtain a water withdrawal permit under 6 NYCRR § 601.9(h), now therefore be it

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 hereby 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