



Effective 11/19/2025

This serves as notice and policy notice Pursuant to Public Health Law 10 CRR-NY 148.38 the Emerald Green Lake Louise Marie Water company

Emerald Green Lake Louise Marie Water Company provides domestic water to the EGLLM water district which covers residential and commercial users as well as users in the communities of Emerald Green Property Owners Association and Lake Louise Marie Property Owners Association. EGLLM water is sourced from the Lake Louise Marie waterway and the intake port for the water plant is located in the lake from the plant address of 224 Lake Louise Marie Drive, Rockhill NY. Due to the nature of the production of Potable domestic water Lake Louise Marie is protected by a series of Health Law requirements to which is regulated by New York State Department of Health.

Be advised the following Public Health Policies outlined 10 CRR-NY 148.38 remain in effect surrounding all of Lake Louise Marie.

1. No “Junk yards” shall be located within 100feet of LLM.
  - i. “Junkyard” shall mean an area where two or more unregistered, old or secondhand motor vehicles are being accumulated for purposes of disposal, resale of used parts or reclaiming certain materials such as metal, glass, fabric, etc.
2. No bathing, swimming, boating, fishing or other recreational activities within 500ft of the source water intake for EGLLM water company. The source water intake location can be seen as the buoy in the water outside the EGLLM water plant visible from Lake Louise Marie Drive.
3. No huts, shelters or temporary buildings can be placed on the water or ice on Lake Louise Marie in its entirety.

4. No boats with motors utilizing fossil fuel shall be allowed in or upon the waters of Lake Louise Marie or upon the waters of any reservoir serving as a source of the water supply of the Lake Louise Marie Water Company, Inc., except by duly authorized employees of the Lake Louise Marie Water Company, Inc., in the performance of their duties of supervision and maintenance of the water supply.
5. No herbicides, pesticides or toxic chemical shall be discharged, applied or allowed to enter into Lake Louise Marie or any reservoir or watercourse unless a permit to do so has been obtained from the appropriate State agency having jurisdiction.
  - ii. *Herbicides* shall mean any substance used to destroy or inhibit plant growth
  - iii. *Pesticide* shall mean any substance used to destroy pests such as rodents and insects.
  - iv. *Toxic chemical* shall mean any compound or substance which is or may be poisonous to humans

6. The Lake Louise Marie Water Company, Inc., shall make regular and thorough inspections of the reservoir, watercourses and watershed to ascertain whether these rules and regulations are being complied with. It shall be the duty of the aforesaid Lake Louise Marie Water Company, Inc., to cause copies of any rules and regulations violated to be served upon the persons violating the same together with notices of such violations. The aforesaid Lake Louise Marie Water Company, Inc., shall report to the State Commissioner of Health in writing annually, prior to the 30th day of January, the results of the regular inspections made during the preceding year. The report shall state the number of inspections made, the number of violations found, the number of notices served, the number of violations abated and the general condition of the watershed at the time of the last inspection

The full text of all laws including those not listed here can be viewed at,

[https://govt.westlaw.com/nycrr/Document/14fe0fe4dc1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/nycrr/Document/14fe0fe4dc1711dda432a117e6e0f345?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1)

In addition EGLLM has adopted the NYS Nutrient runoff law which became effective Jan 1, 2012 and its policies regarding Fertilizer use. EGLLM Water Company specifically identified Phosphorus as a major contributing factor to the development of algae blooms and the potential for Harmful algae blooms also known as “HABS” in the source water. Therefore EGLLM will be implementing the following regulations of the water source known as Lake Louise Marie

Consistent with the NYS Nutrient Runoff Law, the following rules now apply to all properties surrounding Lake Louise Marie and its water district up to and including properties in Lake Louise Marie community as well as EGPOA.

1. No lawn fertilizer may be applied between December 1<sup>st</sup> and April 1<sup>st</sup> in any Year.
2. No phosphates or phosphorus-related chemicals may be used or applied, all fertilizers being applied to lawns or agriculture are required to be marked “0” Phosphorus or Phosphates.
3. No fertilizer may be applied on sidewalks, driveways, or other impervious surfaces. If fertilizer spills onto these surfaces, it shall not be hosed off, but Instead, shall be swept up to prevent it from washing into drains or Waterways.
4. No lawn fertilizer may be applied within 20 feet of any land or water body that has the ability to runoff into Lake Louise Marie unless:
  - i. There is at least a 10-foot buffer of shrubs, trees or other plants between The area being fertilized and the water, or;
  - ii. Fertilizer can be applied no closer than three feet from the water using a Device with a spreader guard, deflector shield or drop spreader.
5. All properties in EGLLM water district are subject to these Fertilizer Guidelines, this law applies to all
  - i. Homeowners applying Fertilizer themselves
  - ii. Landscapers and lawn care professionals
  - iii. Pesticide applicators
  - iv. Fertilizer and Pesticide combinations such“weed and feed”
  - v. Organic Phosphorus Fertilizer known as “bone meal”

#### 6. Violations for Failure to Adhere to these Fertilizer Care & Use Guidelines

The Nutrient Law would be enforced by DEC pursuant to ECL 71-1945:

1. Except as otherwise provided in this section, any person who violates any provision of title 21 of article 17 of this chapter or any rule, regulation or order issued thereunder shall be liable to the people of the state for a civil penalty not to exceed five hundred dollars for a first violation, and not to exceed one thousand dollars for each subsequent violation, to be assessed by the commissioner after a hearing or opportunity to be heard.
2. Any owner or owner's agent, or occupant of a household who violates any provision of title 21 of article 17 of this chapter or any rule, regulation or order issued thereunder shall, for a first violation be issued a written warning and be provided educational materials. Upon a second violation, the owner or owner's agent, or occupant of a household shall be liable to the people of the state for a civil penalty not to exceed one hundred dollars, and for any subsequent violations shall be liable to the people of the state for a civil penalty not to exceed two hundred fifty dollars. No owner or owner's agent of a household shall be held liable for any violation by an occupant. Such penalties may be assessed by the commissioner after a hearing or opportunity to be heard.”

- i. Text of NYS Nutrient Runoff Law can be found

<https://dec.ny.gov/environmental-protection/water-water-quality/lawn-fertilizer-nys-nutrient-runoff-law/text>

The EGLLM Water Company is charged with overseeing the compliance of all water as well as properties surrounding Lake Louise Marie with regards to these Public Health laws and policies including those not mentioned but required by NYS DOH and all affiliates. All members, users and guests of EGPOA and LLM as well as residential and commercial properties in the water district that neighbor the source water of Lake Louise Marie will be required to adhere to these policies. Please feel free to reach out with any questions or concerns,

Signed,

**EGLLM- Board of Directors**

Board President-Dan Brumbaugh

dbrumbaugh@emeraldgreenpoa.com

**EGLLM- Directors of Operations**

Director of Operations-Nick Woerner

[Nick@emeraldgreenpoa.com](mailto:Nick@emeraldgreenpoa.com)