



**M E M O R A N D U M**

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 2 

**DATE:** June 6, 2012

**RE:** May Enforcement Program Report

Attached is the Enforcement Program Report for May 2012 depicting the activities of the enforcement division and management of alleged violations within the Park.

1. This table depicts the number of open cases at the beginning of the reporting period, how many cases were opened or closed during the period, and the number of open cases at the end of the reporting period.

| Open Cases             | 2012<br>May | 2011 | 2010 |
|------------------------|-------------|------|------|
| At Beginning of Period | 167         | 371  | 363  |
| Cases Opened           | 37          | 305  | 380  |
| Cases Closed           | 53          | 419  | 372  |
| At End of Period       | 151         | 225  | 371  |

2. This table provides a detailed description of enforcement program activity during the reporting period.

|  | <b>May<br/>2012</b> | <b>2012 Total</b> | <b>2011 Total</b> |
|--|---------------------|-------------------|-------------------|
| <b>New Cases<br/>Opened</b>                        | <b>37</b>           | <b>99</b>         | <b>305</b>        |
| <b>Site Visits</b>                                 | <b>50</b>           | <b>84</b>         | <b>281</b>        |
| <b>Settlement<br/>Agreements<br/>Sent*</b>         | <b>11</b>           | <b>64</b>         | <b>198</b>        |
| <b>Settlement<br/>Agreements<br/>Signed</b>        | <b>3</b>            | <b>26</b>         | <b>112</b>        |
| <b>Notice of<br/>Violation or<br/>Hearing Sent</b> | <b>0</b>            | <b>0</b>          | <b>0</b>          |
| <b>Cases<br/>Referred to<br/>AG</b>                | <b>0</b>            | <b>0</b>          | <b>0</b>          |
| <b>Cases<br/>Referred to<br/>the EC</b>            | <b>0</b>            | <b>0</b>          | <b>1</b>          |
| <b>Cases Closed:<br/>Compliance<br/>w/o SA</b>     | <b>14</b>           | <b>29</b>         | <b>46</b>         |
| <b>Pre-2000<br/>Subdivisions<br/>Closed</b>        | <b>5</b>            | <b>62</b>         | <b>112</b>        |
| <b>Cases Closed<br/>No Violation</b>               | <b>30</b>           | <b>56</b>         | <b>149</b>        |

\* Currently 58 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

| Type of Violation                     | May 2012 | 2012 Total | 2011 Total |
|---------------------------------------|----------|------------|------------|
| Subdivision Creating Substandard Lots | 3        | 20         | 58         |
| Subdivision due to number of lots     | 2        | 6          | 2          |
| Subdivision in Resource Management    | 0        | 2          | 26         |
| Wetland Subdivision                   | 0        | 5          | 45         |
| Wetland Disturbance                   | 15       | 25         | 41         |
| Rivers Project                        | 0        | 1          | 1          |
| Permit Violation                      | 2        | 10         | 29         |
| SFD in CEA                            | 0        | 0          | 6          |
| Hunting/Fishing cabin >500 sq ft      | 0        | 1          | 1          |
| Structure >40' height                 | 0        | 0          | 2          |
| Clearcut >25%                         | 1        | 3          | 3          |
| Commercial Use                        | 2        | 4          | 5          |
| Junkyards                             | 0        | 0          | 3          |
| Campgrounds                           | 0        | 0          | 1          |
| Mobile Home Court                     | 0        | 0          | 2          |
| Shoreline Setback                     | 7        | 16         | 67         |
| Waste Disposal Area                   | 5        | 7          | 3          |
| Sand and Gravel Excavation            | 0        | 1          | 2          |
| Multiple Family Dwelling              | 0        | 0          | 3          |

|                              |          |          |          |
|------------------------------|----------|----------|----------|
| <b>Tourist Accommodation</b> | <b>0</b> | <b>0</b> | <b>2</b> |
|------------------------------|----------|----------|----------|

4. **Salesweb Monitoring 2012:**

| Month     | # Subdivisions in Park | # Cases Opened | # Subdivisions Related to Previous JIF or Permit |
|-----------|------------------------|----------------|--|
| January   | 15                     | 0              | 9  |
| February  | 3                      | 0              | 2  |
| March     | 6                      | 0              | 6  |
| April     | 8                      | 0              | 6  |
| May       | 14                     | 0              | 7  |
| June      |                        | 0              |  |
| July      |                        | 0              |  |
| August    |                        | 0              |  |
| September |                        | 0              |  |
| October   |                        | 0              |  |
| November  |                        | 0              |  |
| December  |                        | 0              |  |
| TOTAL     | 46                     | 0              | 30   |

5. **Monthly Report of Enforcement Cases Settled:**

Three enforcement cases were resolved by settlement agreements executed in **May 2012** as follows:

- E2011-0115, Lake Pleasant Lodge (Lake Pleasant, Hamilton County)  
Construction of a gazebo/patio/fire ring structure in 2003 by a prior owner within the shoreline setback without the necessary Agency variance. Settlement requires implementation of Agency-approved remediation plan.
- E2011-0006, Miller (Chester, Warren County)  
Placement of a structure within the setback of the Schroon River and establishment of a wastewater treatment system absorption field within 100 feet of the Schroon River by a prior owner between 1973 and 1987 without the necessary Agency approvals. Settlement

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requires implementation of Agency-approved remediation plan to address the structure and implementation of

Agency-approved plans to replace the wastewater treatment system.

- E2010-0085, Choquette (Crown Point, Essex County) Noncompliance with on-site wastewater treatment system requirements of Agency Permit 98-91. Settlement requires implementation of Agency-approved plans for bringing the on-site wastewater treatment system into compliance with applicable requirements.