



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

**TO:** Terry Martino, Executive Director

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

**DATE:** February 6, 2013

**RE:** January Enforcement Program Report

Attached is the Enforcement Program Report for January 2013 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.

<b>Open Cases</b>	<b>2013 January</b>	<b>2012</b>	<b>2011</b>
<b>At Beginning of Period</b>	149	225	371
<b>Cases Opened</b>	12	258	305
<b>Cases Closed</b>	29	334	419
<b>At End of Period</b>	132	149	225

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

	January 2013	2013 Total	2012 Total
New Cases Opened	12	12	258
Site Visits	5	5	249
Settlement Agreements Sent*	13	13	103
Settlement Agreements Signed	3	3	53
Notice of Violation or Hearing Sent	0	0	0
Cases Referred to AG	0	0	0
Cases Referred to the EC	0	0	0
Cases Closed: Compliance w/o SA	10	10	67
Cases Closed No Violation	12	12	132

\* Currently 44 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	January 2013	2013 Total	2012 Total	Outcome of Closed 2012 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	0	0	35	V-10 NV-9
Subdivision due to number of lots	0	0	9	V-6 NV-3
Subdivision in Resource Management	1	1	9	V-1 NV-2
Wetland Subdivision	2	2	9	V-8 NV-0
Wetland Disturbance	3	3	59	V-10 NV-25
Rivers Project	1	1	4	V-2 NV-0
Permit Violation	2	2	31	V-9 NV-16
SFD in CEA	0	0	3	V-0 NV-0
Hunting/Fishing cabin >500 sq ft	0	0	1	V-1
Structure >40' height	0	0	2	V-0 NV-0
Clearcut >25%	0	0	7	V-0 NV-7
Commercial Use	0	0	8	V-1 NV-7
Junkyards	0	0	1	V-0 NV-1
Campgrounds	0	0	2	V-1 NV-0
Mobile Home Court	1	1	0	V-0 NV-0
Shoreline Setback	2	2	53	V-12 NV-22
Waste Disposal Area	0	0	16	V-9 NV-6
Septic Setback	2	2	0	V-0
Sand and Gravel Excavation	0	0	3	V-2 NV-1
Multiple Family Dwelling	0	0	2	V-0 NV-0
Tourist Accommodation	0	0	2	V-0 NV-2

4. **Salesweb Monitoring 2013:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	5	0	4
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL			

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

Three enforcement cases were resolved by settlement agreements executed in **January 2013** as follows:

***SETTLEMENTS OF SUBDIVISION VIOLATIONS (2)***

These settlements authorize the illegal lots involved in each case, allocate principal building rights, require a permit for future land use or development as appropriate, and require the filing of the settlement in the county clerk's office.

- **Substandard Lot Subdivision (2)**  
Hardenstein, E2012-0199 (Russia, Herkimer County)  
Brath, E2012-0199A (Russia, Herkimer County)

***Other Violations (1)***

- E2012-0008, Zelinski (Piercefield, St. Lawrence County)  
Construction of a road in a wetland to access a proposed single family dwelling site without the necessary Agency approval. Settlement addresses construction requirements for the road and requirements for construction of the single family dwelling specific to local approvals, on-site wastewater treatment system design, and outdoor lighting. Settlement also requires filing in the county clerk's office.