



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

**TO:** Terry Martino, Executive Director

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

**DATE:** December 4, 2013

**RE:** November Enforcement Program Report

Attached is the Enforcement Program Report for November 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.

Open Cases	2013 November	2012	2011
At Beginning of Period	133	225	371
Cases Opened	12	258	305
Cases Closed	15	334	419
At End of Period	130	149	225

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

	<b>November 2013</b>	<b>2013 Total</b>	<b>2012 Total</b>
<b>New Cases Opened</b>	<b>12</b>	<b>190</b>	<b>258</b>
<b>Site Visits</b>	<b>11</b>	<b>198</b>	<b>249</b>
<b>Settlement Agreements Sent*</b>	<b>7</b>	<b>82</b>	<b>103</b>
<b>Settlement Agreements Signed</b>	<b>8</b>	<b>53</b>	<b>53</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Cases Referred to AG</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to the EC</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>8</b>	<b>58</b>	<b>67</b>
<b>Cases Closed No Violation</b>	<b>10</b>	<b>96</b>	<b>132</b>

\* Currently 36 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	November 2013	2013 Total	2012 Total	Outcome of Closed 2012 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	2	20	35	V-10 NV-9
Subdivision due to number of lots	0	4	9	V-6 NV-3
Subdivision in Resource Management	0	8	9	V-1 NV-2
Wetland Subdivision	0	11	9	V-8 NV-0
Wetland Disturbance	4	56	59	V-10 NV-25
Rivers Project	1	11	4	V-2 NV-0
Permit Violation	3	25	31	V-9 NV-16
SFD in CEA	0	3	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	4	7	V-0 NV-7
Commercial Use	0	5	8	V-1 NV-7
Junkyards	0	2	1	V-0 NV-1
Campgrounds	0	1	2	V-1 NV-0
Mobile Home Court	0	1	0	V-0 NV-0
Shoreline Setback	0	23	53	V-12 NV-22
Waste Disposal Area	1	7	16	V-9 NV-6
Septic Setback	1	9	0	V-0
Sand and Gravel Excavation	0	3	3	V-2 NV-1
Multiple Family Dwelling	0	3	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	12	0	9
March	8	0	5
April	5	0	3
May	8	0	5
June	9	2	5
July	3	0	2
August	14	1	11
September	5	0	3
October	34	2	24
November	5	1	2
December			
TOTAL	108	6	73

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

Eight enforcement cases were resolved by settlement agreement executed in **November 2013** as follows:

**SETTLEMENTS OF SUBDIVISION VIOLATIONS (6)**

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.

- **Wetland Subdivision (2)**  
E2013-0055A, Byrne (Minerva, Essex County)  
E2013-0055, Flynn (Minerva, Essex County)
- **Resource Management Subdivision (1)**  
E2013-0159, Seneca Waterway Council (Piercefield, St. Lawrence County)

- **Subdivision in Highway CEA (2)**  
E2013-0160, Waldron (Saranac, Clinton County)  
E2013-0160A, Munson (Saranac, Clinton County)
- **Rivers Area Subdivision (1)**  
E2013-0167, Gary (St. Armand, Essex County)

**Other Violations**

E2013-0107, Town of Schroon (Schroon, Essex County)

- Construction of a boat launch site in 2013 within the designated Schroon River Recreational River Area without the necessary permit and variance. Settlement Agreement requires remediation of a strairway within the shoreline setback, vegetative plantings, places restrictions on future vegetation removal, requires reconfiguration of the entranceway to the site, and requires filing in the County Clerk's Office.

E2013-0119, Fortunato, (Stratford, Fulton County)

- Construction of a single family dwelling within the shoreline setback of the East Canada Creek in 2000 by a prior owner. Settlement Agreement requires implementation of an Agency-approved remediation plan and filing in the County Clerk's Office.

**6. Inter-Division Coordination**

This table provides a description of coordination activities between enforcement staff and other programs within the Agency.

	November 2013	2013 Total
Jurisdictional Determinations Issued from Enforcement	3	45
Project Pre-applications Assigned to Enforcement Staff	3	17
Permit Applications Assigned to Enforcement Staff	2	33
Site Visits by Enforcement Staff for Review of Project Applications	5	27
Permits Issued With Enforcement Staff as Assigned Project Review Officer	1	20
Permit Compliance Letters Sent	35	184 letters (for 65 permits issued)
Permit Compliance Site Visits	0	4
Shoreline Photo Inventories	0	12