



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

**TO:** Terry Martino, Executive Director

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

**DATE:** March 5, 2014

**RE:** February 2014 Enforcement Program Report

Attached is the Enforcement Program Report for February 2014 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	2014 February	2013	2012
At Beginning of Period	120	149	225
Cases Opened	12	209	258
Cases Closed	12	237	334
At End of Period	120	121	149

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

	<b>February 2014</b>	<b>2014 Total</b>	<b>2013 Total</b>
<b>New Cases Opened</b>	<b>12</b>	<b>19</b>	<b>190</b>
<b>Site Visits</b>	<b>7</b>	<b>8</b>	<b>198</b>
<b>Settlement Agreements Sent*</b>	<b>11</b>	<b>21</b>	<b>82</b>
<b>Settlement Agreements Signed</b>	<b>6</b>	<b>6</b>	<b>53</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>0</b>	<b>1</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>1</b>	<b>3</b>	<b>58</b>
<b>Cases Closed No Violation</b>	<b>5</b>	<b>11</b>	<b>96</b>

\* Currently 35 Open Cases with Unsigned Settlement Agreements

Memorandum to Terry Martino

March 5, 2014

Page 3

3. Breakdown of New Cases:

Type of Violation	February 2014	2014 Total	2013 Total	Outcome of Closed* 2013 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	0	2	35	V-6 NV-4
Subdivision due to number of lots			9	V-3 NV-2
Subdivision in Resource Management	1	2	9	V-2 NV-0
Wetland Subdivision	1	3	9	V-3 NV-3
Wetland Disturbance	0	1	59	V-5 NV-15
Rivers Project	1	1	4	V-3 NV-0
Permit Violation	1	1	31	V-7 NV-11
SFD in CEA			3	V-2 NV-0
Hunting/Fishing cabin >500 sq ft			1	V-0 NV-0
Structure >40' height			2	V-0 NV-0
Clearcut >25%			7	V-0 NV-4
Commercial Use	1	1	8	V-2 NV-1
Junkyards			1	V-0 NV-1
Campgrounds			2	V-0 NV-0
Mobile Home Court			0	V-0 NV-0
Shoreline Setback	3	4	53	V-4 NV-7
Waste Disposal Area	1	1	16	V-3 NV-2
Septic Setback	1	1	0	V-2 NV-3
Sand and Gravel Excavation			3	V-0 NV-3
Multiple Family Dwelling			2	V-1 NV-2
Tourist Accommodation			2	V-0 NV-0
25% Expansion	2	2		

4. **Salesweb Monitoring 2014:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	14	1	7
February	5	0	4
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL	19	1	11

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

Five enforcement cases were resolved by settlement agreements executed in **February 2014** as follows:

***SETTLEMENTS OF SUBDIVISION VIOLATIONS (4)***

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.

**Resource Management Area Subdivision (3)**

- E2013-0184, Cornell University, (North Elba, Essex County)
- E2013-0184A, Uilhein Foundation (North Elba, Essex County)
- E2008-0192DE, Gifford-Sorrell, (Lake Luzerne, Warren County)

**Substandard Lot Subdivision (1)**

- E2013-0174, Larabee, (Greig, Lewis County)

**Other Violations (2)**

E2013-0189, Benson Mines, Inc. (Clifton, St. Lawrence County)

- Agency Permit P2009-0301 authorized a temporary meteorological monitoring mast that was to be removed by December 31, 2012 unless an amended permit was obtained. The meteorological monitoring mast was not removed. Settlement requires removal by June 1, 2014 unless a new or amended permit is obtained authorizing it to remain.

E2013-0146, Cucchi (Northampton, Fulton County)

- Installation of a camper trailer, retaining wall, and decks within the shoreline setback of Great Sacandaga Lake and within 150' of the edge of right-of-way of NYS Route 30 without the necessary Agency approvals. Settlement requires implementation of an Agency-approved remediation plan and payment of a \$500 civil penalty.

**6. Inter-Division Coordination**

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

	<b>February 2014</b>	<b>2014 Total</b>	<b>2013 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>	2	7	50
<b>Project Pre-applications Assigned to Enforcement Staff</b>	2	2	20
<b>Permit Applications Assigned to Enforcement Staff</b>	8	13	36
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	1	1	29
<b>Permits Issued With Enforcement Staff as Assigned Project Review Officer</b>	5	10	23
<b>Permit Compliance Letters Sent</b>	2	33 letters (for 21 permits issued)	184 letters (for 143 permits issued)
<b>Permit Compliance Site Visits</b>	0	0	4
<b>Shoreline Photo Inventories</b>	0	0	12