



9/3/2014
9:00 a.m.
Final

M E M O R A N D U M

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: September 3, 2014

RE: August 2014 Enforcement Program Report

Attached is the Enforcement Program Report for August 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 August	2013	2012
At Beginning of Period	146	149	225
Cases Opened	20	209	258
Cases Closed	13	237	334
At End of Period	153	121	149

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

	August 2014	2014 Total	2013 Total
New Cases Opened	20	130	190
Site Visits	22	106	198
Settlement Agreements Sent*	6	52	82
Settlement Agreements Signed	3	27	53
Notice of Violation or Hearing Sent		0	1
Cases Referred to AG		0	0
Cases Referred to the EC		0	0
Cases Closed: Compliance w/o SA	4	20	58
Cases Closed No Violation	5	58	96

* Currently 32 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	August 2014	2014 Total	2013 Total	Outcome of Closed* 2013 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	3	12	35	V-6 NV-4
Subdivision due to number of lots		2	9	V-3 NV-2
Subdivision in Resource Management		3	9	V-2 NV-0
Wetland Subdivision		12	9	V-3 NV-3
Wetland Disturbance	4	32	59	V-5 NV-15
Rivers Project		4	4	V-3 NV-0
Permit Violation	4	15	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	2	V-0 NV-0
Clearcut >25%		3	7	V-0 NV-4
Commercial Use		2	8	V-2 NV-1
Junkyards		5	1	V-0 NV-1
Campgrounds		2	2	V-0 NV-0
Mobile Home Court			0	V-0 NV-0
Shoreline Setback	4	23	53	V-4 NV-7
Shoreline Cutting	5	10		V-0 NV-0
Waste Disposal Area		2	16	V-3 NV-2
Septic Setback		3	0	V-2 NV-3
Sand and Gravel Excavation		3	3	V-0 NV-3
Multiple Family Dwelling		1	2	V-1 NV-2
Tourist Accommodation		1	2	V-0 NV-0
25% Expansion		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	4	1	2
April	4	0	0
May	2	0	2
June	5	1	1
July	4	1	2
August	14	2	7
September			
October			
November			
December			
TOTAL	52	6	25

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

Three enforcement cases were resolved by settlement agreements executed in **August 2014** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (1)

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.

- **Lot Counting Subdivision (1)**

E2014-0031A Eklund, (Ohio, Herkimer County)

Other Violations (2)

E2014-0027 Sears, (North Elba, Essex County)

- Vegetation removal and construction of a structure in noncompliance with Agency Permit 2008-272. Settlement requires planting vegetation, places requirements on the future removal of vegetation, restricts the existing structure, and requires payment of a \$500 civil penalty.

E2014-0070 Trudeau/Dufour, (Moriah, Essex County)

- Height expansion of two pre-existing single family dwellings located partially within the shoreline setback of Lake Champlain without the necessary variance. Settlement requires implementation of an Agency-approved remediation plan, payment of a \$1500 civil penalty, 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.

	August 2014	2014 Total	2013 Total
Jurisdictional Determinations Issued from Enforcement	4	47	50
Project Pre-applications Assigned to Enforcement Staff	2	12	20
Permit Applications Assigned to Enforcement Staff	2	37	36
Site Visits by Enforcement Staff for Review of Project Applications	3	36	29
Permits Issued With Enforcement Staff as Assigned Project Review Officer	1	27	23
Permit Compliance Letters Sent		35 letters (for 22 permits issued)	184 letters (for 143 permits issued)
Permit Compliance Site Visits		0	4
Shoreline Photo Inventories	1	5	12