



Final ap
2/4/2015

MEMORANDUM

TO: Terry Martino, Executive Director
FROM: John M. Burth, Environmental Program Specialist 2
DATE: February 4, 2015
RE: January 2015 Enforcement Program Report

Attached is the Enforcement Program Report for the month of January 2015, 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	2015 January	2014	2013
At Beginning of Period	138	121	149
Cases Opened	6	207	209
Cases Closed	12	190	237
At End of Period	132	138	121

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

	January 2015	Total 2015	2014 Total
New Cases Opened	6	6	207
Site Visits	3	3	164
Settlement Agreements Sent*	11	11	83
Settlement Agreements Signed	5	5	43
Notice of Violation or Hearing Sent	0	0	0
Cases Referred to AG	0	0	1
Cases Referred to the EC	0	0	0
Cases Closed: Compliance w/o SA	3	3	42
Cases Closed No Violation	4	4	98

* Currently 25 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	January 2015	2015 Total	2014 Total	Outcome of Closed* 2014 Cases(Violation or No Violation)
Subdivision Creating Substandard Lots			13	V-3 NV-5
Subdivision due to number of lots	2	2	8	V-2 NV-1
Subdivision in Resource Management			6	V-0 NV-2
Wetland Subdivision	2	2	18	V-4 NV-2
Wetland Disturbance	1	1	51	V-6 NV-9
Rivers Project			7	V-1 NV-3
Permit Violation			26	V-3 NV-9
SFD in CEA			1	V-0 NV-0
Hunting/Fishing cabin >500 sq ft				V-0 NV-0
Structure >40' height			4	V-1 NV-0
Clearcut >25%			6	V-0 NV-5
Commercial Use			4	V-0 NV-4
Junkyards			5	V-0 NV-3
Campgrounds			2	V-0 NV-1
Mobile Home Court			1	V-0 NV-0
Shoreline Setback			35	V-4 NV-7
Shoreline Cutting			15	V-2 NV-2
Waste Disposal Area			3	V-0 NV-0
Septic Setback			3	V-0 NV-1
Sand and Gravel Excavation			3	V-0 NV-0

Multiple Family Dwelling	1	1	1	V-1 NV-0
Tourist Accommodation			1	V-0 NV-0
25% Expansion			3	V-0 NV-1

*Annual calculation of closed cases only, remaining cases under investigation as of 12/31/14

4. **Salesweb Monitoring 2015:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	13	1	7
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL	13	1	7

5. Monthly Report of Enforcement Cases Settled:

Five enforcement cases were resolved by settlement agreements executed in **January 2015** 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.

- **Wetland Subdivision (1)**
E2014-0077A Broderick, (Bleecker, Fulton County)

SETTLEMENTS OF OTHER VIOLATIONS (4)

- E2014-0185 Page, (Hopkinton, St. Lawrence County)
Construction of a garage and shed within the shoreline setback of the West Branch of the St. Regis River since 2003 without the necessary Agency approvals. Settlement requires implementation of an Agency-approved remediation plan, payment of a \$500 civil penalty, and filing in the County Clerk's Office.
- E2014-0058 McKenna, (North Elba, Essex County)
Construction of a tourist accommodation cabin within ¼ mile of the designated West Branch of the Ausable Recreational River without the necessary Agency permit. Settlement recognizes the cabin as lawful, requires upgrading the on-site wastewater treatment system associated with the cabin, places restrictions on the color and lighting of the cabin, and requires filing in the County Clerk's Office.
- E2014-0192 Humphrey, (Inlet, Hamilton County)
Construction of an accessory storage building in 2000 and an accessory storage building in 2004 within 1/8 mile of the Pigeon Lake Wilderness Area without a new or amended Agency permit as required by Agency Permit P96-241. Settlement recognizes structures as lawful, requires prior Agency approval for construction of buildings outside the building envelop required by P96-241, and requires prior Agency approval for installation of a wastewater treatment system on the property.

- E2012-0021C Coleman, (Saranac, Clinton County)
 Further subdivision in 2004, through county tax foreclosure sale, of property authorized by Agency Permit P82-127AT. Settlement recognizes two resulting lots as lawful, restricts each lot to one principal building, and requires 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.

	January 2015	2015 Total	2014 Total
Jurisdictional Determinations Issued from Enforcement	4	4	69
Project Pre-applications Assigned to Enforcement Staff	2	2	13
Permit Applications Assigned to Enforcement Staff	5	5	54
Site Visits by Enforcement Staff for Review of Project Applications	0	0	47
Permits Issued With Enforcement Staff as Assigned Project Review Officer	4	4	32
Shoreline Photo Inventories	0	0	6