



LEILANI CRAFTS ULRICH
Chairwoman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: April 8, 2015

RE: February and March 2015 Enforcement Program Report

Attached is the Enforcement Program Report for the months of February and March 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 February	2015 March	2014	2013
At Beginning of Period	132	124	121	149
Cases Opened	6	12	207	209
Cases Closed	14	9	190	237
At End of Period	124	127	138	121

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

	February 2015	March 2015	Total 2015	2014 Total
New Cases Opened	6	12	24	207
Site Visits	10	1	14	164
Settlement Agreements Sent*	7	18	36	83
Settlement Agreements Signed	6	4	15	43
Notice of Violation or Hearing Sent	0	0	0	0
Cases Referred to AG	0	0	0	1
Cases Referred to the EC	0	0	0	0
Cases Closed: Compliance w/o SA	2	1	6	42
Cases Closed No Violation	6	4	14	98

* Currently 32 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	February 2015	March 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	1	3	6	8	V-2 NV-1
Subdivision in Resource Management	1	1	2	6	V-0 NV-2
Wetland Subdivision	3	3	8	18	V-4 NV-2
Wetland Disturbance			1	51	V-6 NV-9
Rivers Project				7	V-1 NV-3
Permit Violation	1	3	4	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 Acres				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		1	1	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		1	1	3	V-0 NV-0
Multiple Family Dwelling			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	12	2	6
March	8	0	6
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL	33	3	19

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

Ten enforcement cases were resolved by settlement agreements executed in **February and March 2015** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (8)

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 (4)**

E2014-0146A Lee, Forrest, Kline, (Forestport, Oneida County)

E2014-0146B Kline & Riley, (Forestport, Oneida County)

E2014-0031 Burns, (Ohio, Herkimer County)

E2015-0002B Parotte, (Saranac, Clinton County)

- **Wetland Subdivision (4)**

E2014-0190 Andre, (Harrietstown, Franklin County)

E2014-0134A Peln, (Fine, St. Lawrence County)

E2015-0007 Ottensein, (Wilmington, Essex County)

E2015-0009A Goodhart & Holmes, (Thurman, Warren County)

SETTLEMENTS OF OTHER VIOLATIONS (2)

- E2014-0130 Hayes, (Crown Point, Essex County)
Deposit of fill in an approximately 9200 square foot area of a wetland and excavation of an approximately 4500 square foot area of a wetland without the necessary permit. Settlement Agreement requires remediation of the wetland and payment of a \$500 civil penalty.

- E2015-0006 Cooley, (Ohio, Herkimer County)
Construction of a multiple family dwelling and new land use or development within a state highway critical environmental area in 1985 without the necessary Agency permit. Settlement Agreement recognizes the multiple family dwelling as lawful and requires upgrading of the wastewater treatment system. The Agreement also allocates principal building rights and outlines requirements for Agency review prior to future new land use or development or subdivision.

6. Inter-Division Coordination

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

	February 2015	March 2015	2015 Total	2014 Total
Jurisdictional Determinations Issued from Enforcement	1	23	28	69
Project Pre-applications Assigned to Enforcement Staff	0	6	8	13
Permit Applications Assigned to Enforcement Staff	0	5	10	54
Site Visits by Enforcement Staff for Review of Project Applications	0	0	0	47
Permits Issued With Enforcement Staff as Assigned Project Review Officer	0	3	7	32
Shoreline Photo Inventories	0	0	0	6