



**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

**MEMORANDUM**

**TO:** Terry Martino, Executive Director

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

**DATE:** November 4, 2015

**RE:** October 2015 Enforcement Program Report

Attached is the Enforcement Program Report for the month of October 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.

<b>Open Cases</b>	<b>2015 October</b>	<b>2014</b>	<b>2013</b>
<b>At Beginning of Period</b>	<b>144</b>	<b>121</b>	<b>149</b>
<b>Cases Opened</b>	<b>16</b>	<b>207</b>	<b>209</b>
<b>Cases Closed</b>	<b>20</b>	<b>190</b>	<b>237</b>
<b>At End of Period</b>	<b>140</b>	<b>138</b>	<b>121</b>

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

	<b>October 2015</b>	<b>Total 2015</b>	<b>2014 Total</b>
<b>New Cases Opened</b>	<b>16</b>	<b>170</b>	<b>207</b>
<b>Site Visits</b>	<b>20</b>	<b>152</b>	<b>164</b>
<b>Settlement Agreements Sent*</b>	<b>13</b>	<b>90</b>	<b>83</b>
<b>Settlement Agreements Signed</b>	<b>6</b>	<b>54</b>	<b>43</b>
<b>Notice of Violation or Hearing Sent</b>		<b>0</b>	<b>0</b>
<b>Cases Referred to AG</b>		<b>0</b>	<b>1</b>
<b>Cases Referred to the EC</b>		<b>0</b>	<b>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>8</b>	<b>35</b>	<b>42</b>
<b>Cases Closed No Violation</b>	<b>5</b>	<b>73</b>	<b>98</b>

\* Currently 30 Open Cases with Unsigned Settlement Agreements

### 3. Breakdown of New Cases:

Type of Violation	October 2015	2015 Total	2014 Total	Outcome of Closed* 2014 Cases(Violation or No Violation)
Subdivision Creating Substandard Lots		2	13	V-3 NV-5
Subdivision due to number of lots		19	8	V-2 NV-1
Subdivision in Resource Management		9	6	V-0 NV-2
Wetland Subdivision		16	18	V-4 NV-2
Wetland Disturbance	4	45	51	V-6 NV-9
Rivers Project		5	7	V-1 NV-3
Permit Violation	2	17	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	1	2	4	V-1 NV-0
Clearcut >25 Acres		1	6	V-0 NV-5
Commercial Use		1	4	V-0 NV-4
Junkyards		1	5	V-0 NV-3
Campgrounds		2	2	V-0 NV-1
Mobile Home Court			1	V-0 NV-0
Shoreline Setback	8	37	35	V-4 NV-7
Shoreline Cutting		8	15	V-2 NV-2
Waste Disposal Area		1	3	V-0 NV-0

<b>Septic Setback</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>V-0 NV-1</b>
<b>Sand and Gravel Excavation</b>		<b>5</b>	<b>3</b>	<b>V-0 NV-0</b>
<b>Multiple Family Dwelling</b>		<b>1</b>	<b>1</b>	<b>V-1 NV-0</b>
<b>Tourist Accommodation</b>			<b>1</b>	<b>V-0 NV-0</b>
<b>25% Expansion</b>			<b>3</b>	<b>V-0 NV-1</b>

\*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	2	0	2
May	9	0	4
June	11	0	6
July	5	1	1
August	4	0	2
September	1	0	0
October	0	0	0
November			
December			
<b>TOTAL</b>	<b>66</b>	<b>4</b>	<b>34</b>

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

Six enforcement cases were resolved by settlement agreements executed in **October 2015** 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.

- **WETLAND SUBDIVISION**

E2014-0169B, Luther (Hopkinton, St. Lawrence County)

E2015-0073, Gold (Schroon, Essex County)

- **SUBDIVISION IN RESOURCE MANAGEMENT**

E2015-0123C, Beckler Family LTD Partnership (Chester, Warren County)

- **SUBDIVISION IN RESOURCE MANAGEMENT, DESIGNATED RIVER AREA, AND INVOLVING WETLANDS**

E2015-0128, The Nature Conservancy (Willsboro, Essex County)

***SETTLEMENTS OF OTHER VIOLATIONS (2)***

E2015-0074, Vann (Saranac, Clinton County)

- Wetland fill. Settlement Agreement requires removal of the fill and payment of a \$200 civil penalty.

E2015-0068, Messmer (Chester, Warren County)

- Expansion of a pre-existing accessory structure in 1979, resulting in a single family dwelling closer to the mean high water mark of the designated Hudson River Recreational River and located within 150 feet of the mean high water mark. Settlement requires replacement of the on-site wastewater treatment system associated with the single family dwelling within three years and places restrictions on lighting, color, and removal of vegetation on the property. Settlement requires filing in the County Clerk's Office.

### **Inter-Division Coordination**

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

	<b>October 2015</b>	<b>2015 Total</b>	<b>2014 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>		<b>57</b>	<b>69</b>
<b>Project Pre-applications Assigned to Enforcement Staff</b>	<b>2</b>	<b>33</b>	<b>13</b>
<b>Permit Applications Assigned to Enforcement Staff</b>	<b>6</b>	<b>57</b>	<b>54</b>
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	<b>7</b>	<b>37</b>	<b>47</b>
<b>Permits Issued With Enforcement Staff as Assigned Project Review Officer</b>	<b>5</b>	<b>18</b>	<b>32</b>
<b>Shoreline Photo Inventories</b>	<b>2</b>	<b>15</b>	<b>6</b>