



LEILANI CRAFTS ULRICH
Chairwoman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: May 4, 2016

RE: March and April 2016 Enforcement Program Report

Attached is the Enforcement Program Report for the months of March and April 2016, 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	2016 March	2016 April	2015	2014
At Beginning of Period	136	135	138	121
Cases Opened	11	18	213	207
Cases Closed	12	16	199	190
At End of Period	135	137	152	138

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

	March 2016	April 2016	Total 2016	2015 Total
New Cases Opened	11	18	55	213
Site Visits	5	17	33	182
Settlement Agreements Sent*	8	4	34	115
Settlement Agreements Signed	5	4	24	63
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	1	4	11	41
Cases Closed No Violation	4	8	27	86

* Currently 24 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	March 2016	April 2016	2016 Total	2015 Total	Outcome of Closed 2015* Cases (Violation or No Violation)
Subdivision Creating Substandard Lots			1	2	V-1 NV-1
Subdivision due to number of lots			2	21	V-11 NV-7
Subdivision in Resource Management	1	3	8	10	V-0 NV-4
Wetland Subdivision	1		1	17	V-15 NV-1
Wetland Disturbance	4	4	15	55	V-20 NV-14
Rivers Project			1	5	V-5 NV-0
Permit Violation		3	5	27	V-6 NV-3
SFD in CEA				0	V-0 NV-0
Hunting/Fishing cabin >500 sq ft			0	0	V-0 NV-0
Structure >40' height			1	2	V-0 NV-1
Clearcut >25 Acres				1	V-0 NV-1
Commercial Use	1		2	3	V-1 NV-0
Junkyards			1	1	V-0 NV-1
Campgrounds	1		1	2	V-0 NV-1
Mobile Home Court				0	V-0 NV-0
Shoreline Setback		3	6	44	V-9 NV-22
Shoreline Cutting	2	3	7	8	V-0 NV-6

Waste Disposal Area		2	2	2	V-0 NV-1
Septic Setback				0	V-0 NV-0
Sand and Gravel Excavation				1	V-0 NV-1
Multiple Family Dwelling				2	V-1 NV-1
Tourist Accommodation			1	0	V-0 NV-0
25% Expansion				0	V-0 NV-0
New Land Use in CEA	1		1		V-0 NV-0

*Annual calculation of closed cases only, remaining cases under investigation as of 12/31/15

4. **Salesweb Monitoring 2016:**

Month	# Subdivisions In Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	12	1	8
February	7	0	7
March	3	0	3
April	9	0	2
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL	31	1	20

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

Nine enforcement cases were resolved by settlement agreements executed in **March and April 2016** as follows:

SETTLEMENT OF SUBDIVISION VIOLATIONS (5)

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 LOTS (1)**

E2014-0031, Burns, (Ohio, Herkimer County)

- **RIVER AREA SUBDIVISION (1)**

E2016-0020, Goldbeck, (Wells, Hamilton County)

- **RESOURCE MANAGEMENT SUBDIVISION (1)**

E2016-0001, Irvine, (Clifton, St. Lawrence County)

- **WETLAND SUBDIVISION (1)**

E2015-0016, Town of Caroga, (Caroga, Fulton County)

- **WETLAND, RIVER AREA, AND HIGHWAY CEA SUBDIVISION (1)**

E2009-0035A, Tedford, (Saranac, Clinton County)

SETTLEMENTS OF OTHER VIOLATIONS (4)

- **E2015-0175, Ferguson, (Dresden, Washington County)**

Establishment of a waste disposal area consisting of logs, tree branches, tires, appliances, concrete blocks, construction materials, and metal debris. Settlement requires lawful disposal of waste materials and remediation of the site pursuant to an Agency-approved plan.

- **E2014-0011, Brantingham Station, (Greig, Lewis County)**

Greater than 25% expansion of a commercial use convenience store in noncompliance with Agency Permit 2005-41 in 2014. Settlement recognizes commercial use and upgraded on-site wastewater treatment system as lawful and requires filing in the county clerk's office.

- **E1991-0078, Kaltenbach, (Keene, Essex County)**
Construction of single family dwelling, driveway, and on-site wastewater treatment system in noncompliance with Permit 88-431 in 1990. Amended Settlement Agreement recognizes development as lawful, modifies previously assessed civil penalty, and requires filing in the county clerk's office.
- **E2015-0170G, McIntyre, (Chester, Warren County)**
Construction of a single family dwelling, on-site wastewater treatment system, and well in 1988 and construction of an accessory structure in 2001, in locations other than what was authorized by Agency Permit 85-45. Settlement recognizes development as lawful, places restrictions on building colors, exterior lighting, vegetation removal, and requires installation of an on-site wastewater treatment system pursuant to Agency-approved plans upon replacement, failure, expansion, or upgrade. 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.

	March 2016	April 2016	2016 Total	2015 Total
Jurisdictional Determinations Issued from Enforcement	1	2	9	62
Project Pre-applications Assigned to Enforcement Staff	3	3	13	38
Permit Applications Assigned to Enforcement Staff	14	13	46	74
Site Visits by Enforcement Staff for Review of Project Applications	2	3	11	49
Permits Issued With Enforcement Staff as Assigned Project Review Officer	5	7	17	21
Shoreline Photo Inventories	0	0	0	15