



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: October 6, 2016

RE: September Enforcement Program Report

Attached is the Enforcement Program Report for the month of September 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 September	2015	2014
At Beginning of Period	148	138	121
Cases Opened	22	213	207
Cases Closed	24	199	190
At End of Period	146	152	138

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

	September 2016	Total 2016	2015 Total
New Cases Opened	22	167	213
Site Visits	13	134	182
Settlement Agreements Sent*	8	80	115
Settlement Agreements Signed	9	49	63
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	5	26	41
Cases Closed No Violation	10	85	86

* Currently 22 Open Cases with Unsigned Settlement Agreements

3. Breakdown of New Cases:

Type of Violation	Sept. 2016	2016 Total	2015 Total	Outcome of Closed* 2015 Cases(Violation or No Violation)
Subdivision Creating Substandard Lots	2	4	2	V-1 NV-1
Subdivision due to number of lots		6	21	V-11 NV-7
Subdivision in Resource Management		9	10	V-0 NV-4
Wetland Subdivision	4	11	17	V-15 NV-1
Wetland Disturbance	5	38	55	V-20 NV-14
Rivers Project		4	5	V-5 NV-0
Permit Violation	1	24	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		4	2	V-0 NV-1
Clearcut >25 Acres		2	1	V-0 NV-1
Commercial Use	1	8	3	V-1 NV-0
Junkyards		3	1	V-0 NV-1
Campgrounds		2	2	V-0 NV-1
Mobile Home Court			0	V-0 NV-0
Shoreline Setback	2	18	44	V-9 NV-22
Shoreline Cutting	2	15	8	V-0 NV-6
Waste Disposal Area		4	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	2	2	0	V-0 NV-0
New Land Use in CEA		1		V-0 NV-0
Commercial or Private Airport		1		V-0 NV-0
SFD in RM	2	3		V-0 NV-0
Marina		1		V-0 NV-0
Lot Width	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	1	0	1
June	3	0	3
July	9	0	6
August	12	1	9
September	10	2	8
October			
November			
December			
TOTAL	66	4	47

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

Nine enforcement cases were resolved by settlement agreements executed in **September 2016** as follows:

- **E2016-0091A, Marsha, (Chesterfield, Essex County)**
Subdivision involving wetlands in 2007. Settlement recognizes lot as lawful and allocates principal buildings, requires a permit for any on-site wastewater treatment system within 100 feet of wetlands, and requires Agency review of further subdivisions, roads, driveways, or structures within 100 feet of wetlands. Settlement must be filed in the County Clerk's Office.
- **E2016-0111, Kircher, (Hague, Warren County)**
Subdivision of property in 1989 that was designated as "open space" as part of authorizations under Agency Interim Project #36. Settlement recognizes property as merged with adjoining lot, allows for construction of one principal building on the adjoining lot only, and requires filing in the County Clerk's Office.

- **E2016-0100, Tripp, (Saranac, Clinton County)**
 Clearcutting more than three acres within a wetland since 2015. Settlement requires landowner to cease tree cutting within the wetland and allow to re-vegetate, obtain written authorization from the Agency prior to further timber harvesting on the property, and payment of a \$500 civil penalty.
- **E2016-0072, Shaw, (North Hudson, Essex County)**
 Construction of a single family dwelling in Resource Management and pond in noncompliance with Permit 2008-66, and installation of an onsite wastewater treatment system in noncompliance with Permit 2008-66 and within 100 feet of a stream. Settlement recognizes dwelling as lawful, restricts color of the dwelling, requires wastewater treatment system to be disconnected and installation of a new system that meets standards, submission of an updated Stormwater Pollution Prevention Plan, and payment of a \$750 civil penalty.
- **E2015-0026, Irish, (Wells, Hamilton County)**
 Subdivision involving wetlands in 2001. Amended Settlement Agreement recognizes property as lawful, requires Agency review of future land use or development or subdivision, and allows for a proposed two-lot subdivision of the property.
- **E2015-0170B, Sinuc, (Chester, Warren County)**
 Construction of a driveway, single family dwelling, onsite wastewater treatment system, and well in 2006 in locations other than what was approved by Permit 85-45. Settlement recognizes development as lawful, limits vegetation removal on the property, requires upgrading of the wastewater treatment system upon replacement or failure, and filing in the County Clerk's Office.
- **E2014-0114, Buckley, (Russia, Herkimer County)**
 Construction of a retaining wall with attached deck in 2012, within 75 feet of the mean high water mark of Hinckley Reservoir. Settlement requires implementation of Agency-approved plans to remove portions of the wall and deck.
- **E2016-0092, Kleinhammer, (Chesterfield, Essex County)**
 Installation of culvert and access in 2016, in a location other than what was approved by Agency Permit 96-294R. Settlement recognizes location as lawful and requires filing in the County Clerk's Office.

- E2016-0018, Moose House Management, LLC, (North Hudson, Essex County)**
 Resource Management subdivision in 2002. Settlement recognizes property as lawful, requires installation of an alarm on existing holding tank upgrading of onsite wastewater treatment system prior to conveyance or upon replacement or failure of the existing system, and 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.

	September 2016	2016 Total	2015 Total
Jurisdictional Determinations Issued from Enforcement	4	23	62
Project Pre-applications Assigned to Enforcement Staff	6	37	38
Permit Applications Assigned to Enforcement Staff	13	108	74
Site Visits by Enforcement Staff for Review of Project Applications	6	61	49
Permits Issued With Enforcement Staff as Assigned Project Review Officer	4	38	21
Shoreline Photo Inventories	1	2	15