



KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: September 6, 2018

RE: Enforcement Program Report

The following is the Enforcement Program Report for the months of June, July, and August 2018, summarizing the activities of the Enforcement Program and management of alleged violations within the Park.

1. Enforcement cases opened and closed during the reporting period.

	June 2018	July 2018	August 2018
Beginning of Period	170	173	178
Cases Opened	24	27	20
Cases Closed	21	22	27
End of Period	173	178	171

2. Detailed description of enforcement program activity.

	June 2018	July 2018	Aug. 2018	Total 2018
New Cases Opened	24	27	20	134
Site Visits	16	18	29	102
Settlement Agreements Sent*	5	0	12	58
Settlement Agreements Signed	3	1	5	29
Notice of Violation or Hearing Sent	0	0	0	0
Cases Referred to Attorney General	0	0	0	0
Cases Referred to Enforcement Committee	0	0	0	0
Compliance w/o Settlement Agreement	7	4	7	30
Cases Closed No Violation	10	17	15	64

* 17 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	June 2018	July 2018	Aug. 2018	2018 Total
Substandard Lot Subdivision	2	1	2	12
Lot Counting Subdivision				3
Resource Management Subdivision	1	3		9
Critical Environmental Area(CEA) Subdivision				1
Wetland Subdivision	3	1		13
Wetland Project	9	10	6	31
Development in River Area		1		1
Permit Violation	3	3	3	22
Development in CEA				1
Structure Over 40 Feet		1		1
25-Acre Clearcut			1	3
Commercial Use				3
Junkyard			1	2
Campground				0
Shoreline Structure Setback	3	2	2	14
Shoreline Cutting		1	5	8
Waste Disposal Area		1		12
Commercial Sand and Gravel Extraction				1
Dwelling in Resource Management				0
Septic w/in 100' of a wetland	1	1		3
Sawmill	1			1
Marina	1			1

4. **Salesweb Monitoring 2018:**

Month	Subdivisions In Park	Cases Opened	Subdivisions Reviewed as JIF or Permit
January	10	2	6
February	13	1	10
March	6	0	2
April	9	0	3
May	5	0	4
June	10	0	8
July	4	2	0
August	13	0	4
September			
October			
November			
December			
TOTAL	70	5	37

5. **Monthly Report of Executed Settlement Agreements:**

Nine enforcement cases were resolved by settlement agreements executed in **June, July, and August 2018** as follows:

E2018-0010, Huestis Living Trust, (Ticonderoga, Essex County)

Subdivision involving more than 10 lots or sites in Low Intensity Use in 2015. Settlement recognizes the site as lawful, allocates principal building potential, requires a permit for future subdivision or construction of a principal building, requires Agency review of future onsite wastewater treatment system replacement, places restrictions on exterior lighting, and requires filing in the County Clerk's Office.

E2018-0040, Ferguson, (Dresden, Washington County)

Subdivision involving more than 5 lots in Rural Use in 2016. Settlement requires merger of the lot with an adjoining property and filing in the County Clerk's Office.

E2018-0007, Eddy Foundation, (Essex, Essex County)

Conversion of pre-existing structures to semi-public buildings on Resource Management lands in 2006. Settlement recognizes semi-public buildings as lawful, requires Agency review of any future expansion, and requires filing in the County Clerk's Office.

E2018-0029, Stonach, (Black Brook, Clinton County)

Subdivision involving wetlands in 2016 without a valid Agency permit. Settlement recognizes property as lawful, requires a permit for any future subdivision or construction of a principal building, and requires filing in the County Clerk's Office.

E2018-0042, Hamblin, (Thurman, Warren County)

Construction of a single family dwelling and onsite wastewater treatment system in 2007 in noncompliance with Agency Permit 2005-209. Settlement recognizes dwelling as lawful and requires Agency approval of any future expansion, requires replacement of the onsite wastewater treatment system, and restricts color and lighting associated with the dwelling. Settlement must also be filed in the County Clerk's Office.

E2018-0056, Mulcahy, (Fort Ann, Washington County)

Subdivision creating a substandard-sized lot in Rural Use in 1973, and construction of a dwelling on a lot with substandard shoreline lot width in 1975. Settlement recognizes property and dwelling as lawful, requires Agency approval of any future expansion of the dwelling, allows for construction of a garage on the property, requires Agency review of future replacement of the onsite wastewater treatment system, restricts lighting, and requires filing in the County Clerk's Office.

E2018-0061, Madtes, (Webb, Herkimer County)

Construction of a single family dwelling on Resource Management lands within a recreational river area in 1988. Settlement recognizes dwelling as lawful, allows for an expansion of the dwelling, requires replacement of the onsite wastewater treatment system, and requires filing in the County Clerk's Office.

E2018-0089, Debbiedo, Inc. (Saratoga County)

Subdivision involving wetlands in 1989. Settlement recognizes property as lawful, allocates principal building potential, allows for construction of a single family dwelling, requires a permit for future activities involving wetlands, and requires filing in the County Clerk's Office.

E2018-0027, Foster (North Elba, Essex County)

Construction of a cabin within 1/8 mile of the Sentinel Range Wilderness Area in 1995. Settlement recognizes cabin as lawful, requires Agency approval for any expansion or installation of a new wastewater treatment system, restricts lighting, color, and vegetation removal, and requires filing in the County Clerk's Office

6. Inter-Division Coordination

	June 2018	July 2018	Aug. 2018	2018 Total
Jurisdictional Determinations Issued from Enforcement	4	11	8	38
Project Pre-Applications Assigned to Enforcement Staff	2	1	7	26
Permit Applications Assigned to Enforcement Staff	5	7	10	47
Site Visits by Enforcement Staff for Review of Project Applications	5	4	12	42
Permits Issued with Enforcement Staff as Assigned Project Review Officer	6	6	5	37
Shoreline Photo Inventories	0	0	0	0