



ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 3

DATE: September 5, 2019

RE: Enforcement Program Report

The following is the Enforcement Program Report for the months of June, July, and August 2019, 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 2019	July 2019	August 2019
Beginning of Period	195	187	193
Cases Opened	18	32	23
Cases Closed	26	26	16
End of Period	187	193	200

2. Detailed description of enforcement program activity.

	June 2019	July 2019	August 2019	Total 2019
New Cases Opened	18	32	23	154
Site Visits	18	26	20	102
Settlement Agreements Sent*	5	10	6	67
Settlement Agreements Signed	7	6	3	33
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	4	5	2	17
Cases Closed No Violation	15	15	9	62

* 20 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	June 2019	July 2019	Aug. 2019	2019 Total
Substandard Lot Subdivision	3	3	1	18
Lot Counting Subdivision	0	1	2	5
Resource Management Subdivision	0	2	5	9
Critical Environmental Area(CEA) Subdivision	0	0	0	1
Wetland Subdivision	2	0	1	7
Wetland Project	6	9	5	37
Development in River Area	0	1	0	2
Permit Violation	3	3	1	23
Development in CEA	0	0	0	0
Structure Over 40 Feet	0	1	0	2
25-Acre Clearcut	0	0	1	1
Commercial Use	0	1	1	2
Junkyard	0	0	0	5
Shoreline Structure Setback	0	5	3	18
Shoreline Cutting	2	2	2	14
Waste Disposal Area	0	0	0	0
Commercial Sand and Gravel Extraction	0	0	0	0
Dwelling in Resource Management	0	0	0	0
Septic w/in 100' of a wetland	0	1	0	1
Tourist Attraction	0	1	0	1
Multiple Family Dwelling	0	0	0	1
Group Camp	0	0	0	0
Watershed Management Project	0	0	0	1
Waste Disposal Area	1	1	1	3

4. Salesweb Monitoring 2019:

Month	Subdivisions In Park	Cases Opened	# Closed After Research & Follow up	Subdivisions Reviewed as JIF or Permit
January	14	0	1	10
February	14	2	1	11
March	7	0	0	5
April	9	0	1	5
May	4	0	0	3
June	16	3	0	12
July	2	0	0	0
August	12	2	0	6

5. Monthly Report of Executed Settlement Agreements:

Sixteen enforcement cases were resolved by settlement agreements executed in **June, July, and August 2019** as follows:

E2019-0030A, Nelson (Greig, LewisCounty)

Subdivision creating substandard-sized lot on Low Intensity Use lands in 2016. Settlement recognizes Low Intensity Use portion of the property as lawful, allocates principal building rights, and requires filing in the County Clerk’s Office.

E2018-0061, Madtes (Wells, Herkimer County)

Amended settlement agreement to resolve construction of a single family dwelling in 1988 on Resource Management lands within the Moose River Recreational River Area. Settlement recognizes structure as lawful, allows for an expansion of the dwelling and on-site wastewater treatment system, requires Agency review of any future expansions, and requires filing in the County Clerk’s Office.

E2019-0051A, Brust (Broadalbin, Fulton County)

Subdivision creating substandard-sized Low Intensity Use lot in 2013. Settlement recognizes property as lawful, allocates principal buildings, requires review of future subdivisions, and requires filing in the County Clerk’s Office.

E2018-0049, Quinn (Webb, Herkimer County)

Construction of a single family dwelling in 2017 within one-eighth mile of lands designated as Wilderness. Settlement recognizes the structure as lawful, allows for replacement of the dwelling, and requires Agency review of any future expansions of the dwelling or replacement structures, and any future subdivisions or new land use and development. Settlement restricts vegetation removal, exterior light fixtures and dwelling color, and requires filing in the County Clerk's Office.

E2019-0065, Carney (Long Lake, Hamilton County)

Expansion of a previously authorized single family dwelling in 2002 and 2015. Settlement amends and supersedes Permit 88-344, Permit 88-344A, and Permit 88-344B, recognizes the dwelling and attached structures as lawful, allows for replacement of the structure and construction of a detached garage, and requires Agency review of any additional accessory structures. Settlement restricts vegetation removal, exterior light fixtures and building color, and requires filing in the County Clerk's Office.

E2019-0046, Newtown (Fine, St. Lawrence County)

Removal of greater than 30 percent of the vegetation within six feet of the mean high-water mark of Star Lake in 2017. Settlement requires implementation of an Agency-approved vegetative management plan including planting native species.

E2012-0078, Siskavich (Dannemora, Clinton County)

Amended settlement agreement to resolve placement of a culvert and fill in wetlands in 2011. Settlement recognizes the culvert and fill as lawful, allows for construction of an access road, restricts expansion of the culvert, fill, and access road, and requires an Agency permit for further land use a development involving wetlands. Settlement requires filing in the County Clerk's Office.

E2019-0030, Iacovino (Clifton, Lewis County)

Subdivision creating substandard-sized shoreline lot on Low Intensity Use lands in 2016. Settlement restricts principal buildings and further subdivision and requires filing in the County Clerk's Office.

E2018-0080A, Long (Fine, St. Lawrence County)

Subdivision of Resource Management lands within 300 feet of a state highway in 2018. Settlement restricts principal buildings and further subdivision and requires filing in the County Clerk's Office.

E2019-0048, Lucia (Saranac, Clinton County)

Subdivision involving wetlands in 2005 on Rural Use lands within the Saranac River Recreational Area. Settlement recognizes the property as lawful, allows for the construction of one single family dwelling and on-site wastewater treatment system, allocates principal building rights, and requires filing in the County Clerk's Office.

E2019-0056, Frasier (Webb, Herkimer County)

Deposit of fill in a wetland in 2018 due to runoff resulting from construction activities. Settlement requires the implementation of an Agency-approved stormwater management plan.

E2019-0062, Cranberry Cove Marina (Mayfield, Fulton County)

Outside storage of boats in noncompliance with Permit 88-440A. Settlement amends and supersedes prior Agency permits, recognizes the outside storage of boats as lawful, allows for continued operation of the commercial use, authorizes construction of an addition, and restricts vegetation removal and exterior lighting.

E2019-0084, Tunney (Horicon, Warren County)

Installation of an absorption field of an on-site wastewater treatment system within 100 feet of a wetland in 1991. Settlement requires replacement of the existing seepage-pit absorption field as shown on an approved plan, installation of silt fencing, and filing in the County Clerk's Office.

E2018-0097, Wells Fargo Bank, N.A. (Saranac, Clinton County)

Subdivision within 150 feet of a state highway on Rural Use lands creating a substandard-sized lot in 2018. Settlement restricts principal buildings, requires an Agency permit for further subdivision, and filing in the County Clerk's Office.

E2018-0157A, Yanulavich (Ellenburg, Clinton County)

Subdivision within 150 feet of a state highway on Rural Use lands creating a substandard-sized lot in 2015. Settlement restricts principal buildings and requires filing in the County Clerk's Office.

E2019-0091A, VanAllen (Mayfield, Fulton County)

Subdivision involving wetlands and creating a substandard-sized lot on Rural Use lands in 2019. Settlement recognizes property as lawful, allocates principal buildings, requires Agency review of future construction of principal buildings or subdivision, and requires filing in the County Clerk's Office.

6. Inter-Division Coordination

	June 2019	July 2019	Aug. 2019	2019 Total
Jurisdictional Determinations Issued from Enforcement	6	3	6	41
Project Pre-Applications Assigned to Enforcement Staff	4	5	4	27
Permit Applications Assigned to Enforcement Staff	15	7	8	77
Site Visits by Enforcement Staff for Review of Project Applications	11	19	11	82
Permits Issued with Enforcement Staff as Assigned Project Review Officer	10	5	4	44
Shoreline Photo Inventories	0	0	0	0