



**ANDREW M. CUOMO**  
Governor

**TERRY MARTINO**  
Executive Director

**MEMORANDUM**

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 3

**DATE:** April 8, 2021

**RE:** Regulatory Programs Enforcement Report

The following is the Regulatory Programs Enforcement Report for the months of January, February, and March 2021, 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.**

	<b>January 2021</b>	<b>February 2021</b>	<b>March 2021</b>
<b>Beginning of Period</b>	<b>259</b>	<b>255</b>	<b>249</b>
<b>Cases Opened</b>	<b>7</b>	<b>8</b>	<b>7</b>
<b>Cases Closed</b>	<b>11</b>	<b>14</b>	<b>17</b>
<b>End of Period</b>	<b>255</b>	<b>249</b>	<b>239</b>

2. Detailed description of enforcement program activity.

	Jan. 2021	Feb. 2021	March 2021	Total 2021
<b>New Cases Opened</b>	7	8	7	22
<b>Site Visits</b>	3	3	1	7
<b>Settlement Agreements Sent*</b>	4	5	4	13
<b>Settlement Agreements Signed</b>	4	1	6	10
<b>Notice of Violation or Hearing Sent</b>				
<b>Cases Referred to Attorney General</b>				
<b>Cases Referred to Enforcement Committee</b>				
<b>Compliance w/o Settlement Agreement</b>	3	4	2	9
<b>Cases Closed No Violation</b>	4	7	7	18

23 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened

Alleged Violation	Jan. 2021	Feb. 2021	March 2021	Total 2021
<b>Substandard Lot Subdivision</b>				
<b>Lot Counting Subdivision</b>				
<b>Resource Management Subdivision</b>			1	1
<b>Wetland Subdivision</b>				
<b>Wetland Project</b>	4	1	3	8
<b>Rivers Project</b>	1			1
<b>Permit Violation</b>		5	2	7
<b>25-Acre Clearcut</b>				
<b>Commercial Use</b>		2		2
<b>Junkyard</b>				
<b>Shoreline Structure Setback</b>				
<b>Shoreline Cutting</b>				
<b>Waste Disposal Area</b>	1		1	2
<b>Commercial Sand and Gravel Extraction</b>	1			1
<b>Dwelling in Resource Management</b>				
<b>Septic w/in 100' of a wetland</b>				
<b>Tourist Attraction</b>				
<b>Group Camp</b>				
<b>Watershed Management Project</b>				
<b>Campground</b>				

4. **Salesweb Monitoring 2021:**

<b>Month</b>	<b>Subdivisions In Park</b>	<b>Cases Opened</b>	<b>Subdivisions Reviewed as JIF or Permit</b>
<b>January</b>	<b>3</b>		<b>1</b>
<b>February</b>	<b>19</b>		<b>13</b>
<b>March</b>	<b>25</b>		<b>17</b>
<b>April</b>			
<b>May</b>			
<b>June</b>			
<b>July</b>			
<b>August</b>			
<b>September</b>			
<b>October</b>			
<b>November</b>			
<b>December</b>			
<b>TOTAL</b>	<b>47</b>		<b>31</b>

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

Ten enforcement cases were resolved by settlement agreements executed in **January, February, and March 2021** as follows:

**E2020-0157, Adams, (Long Lake, Hamilton County)**

Non-compliance with Agency Permit 2017-0189. Settlement requires submission of a planting plan and a letter from a design professional indicating that the on-site wastewater system on the project site was installed according to the approved plans. Settlement further requires implementation of erosion control measures, installation of fencing, filing in the County Clerk's office and payment of a civil penalty.

**E2019-0047, Jacobsen, (Lake Pleasant, Hamilton County)**

Deposit of fill in wetlands in 1994 and 2003. Settlement authorizes construction of a single family dwelling and requires shoreline restoration.

**E2020-0185, Schwartz, (Hague, Warren County)**

Non-compliance with Agency Interim Permit 36 issued July 10, 1972. Settlement recognizes Tax Map Parcel 42.12-1-9 as lawful and authorizes the construction of one single family dwelling connected to municipal wastewater and one accessory structure on the property. Settlement restricts new land use, further development, vegetation removal and lighting on the property and requires filing in the County Clerk's Office.

**E2020-0184, Schwarz, Robert & Muriel Family Trust, (Hague, Warren County)**

Non-compliance with Agency Interim Permit 36 issued July 10, 1972. Settlement recognizes Tax Map Parcel 42.12-1-34 as lawful and authorizes the construction of one single family dwelling connected to municipal wastewater and one accessory structure on the property. Settlement restricts new land use, further development, vegetation removal and lighting on the property and requires filing in the County Clerk's Office.

**E2021-0004, Placid Gold, LLC, (North Elba, Essex County)**

Establishment of a waste disposal area in 1999 and non-compliance with Agency Permit 98-307. Settlement amends and supersedes Permit 98-307, authorizes final grading and stabilization of the waste disposal area, requires a new permit for any new land use or development on the property and requires filing in the County Clerk's Office.

**E2020-0154, Ericson, (Piercefield, St. Lawrence County)**

Construction of a patio greater than 100 square feet within the shoreline setback area in 1994 and construction of a boathouse involving wetlands in 2020. Settlement recognizes the patio and boathouse as lawful, authorizes construction of a garage, restricts exterior lighting and colors of the authorized development and requires filing in the County Clerk's Office.

**E2020-0010, Ayres, (Lake Luzerne, Warren County)**

Construction of a gazebo greater than 100 square feet within the shoreline setback area in 2019. Settlement requires implementation of a remediation plan, payment of a civil penalty and filing in the County Clerk's Office.

**E2020-0097B, Livingston, (Fine, St. Lawrence County)**

Subdivision involving wetlands in 2019. Settlement recognizes the property as lawful, restricts additional subdivisions and construction of principal buildings and requires filing in the County Clerk's Office.

**E2020-0097C, Tanner, (Fine St. Lawrence County)**

Subdivision involving wetlands in 2019. Settlement recognizes the property as lawful, allocates density, requires an Agency permit for any subdivision or any construction of additional principal buildings on the property and requires filing in the County Clerk's Office.

**E2021-0007, Conroe, (North Hudson, Essex County)**

Construction of a single family dwelling within a designated Recreational River area in 2002 without the required Agency permit. Settlement recognizes the dwelling as lawful, restricts the construction of additional principal buildings, limits exterior lighting installations and vegetation removal and requires prior Agency approval for any future on-site wastewater treatment system modification and filing in the County Clerk's Office.

**6. Regulatory Programs Enforcement Staff Consultation**

	<b>Jan. 2021</b>	<b>Feb. 2021</b>	<b>March 2021</b>	<b>2021 Total</b>
<b>Jurisdictional Determinations Issued</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>7</b>
<b>Assigned Project Pre-Applications</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>8</b>
<b>Assigned Permit Applications</b>	<b>15</b>	<b>17</b>	<b>19</b>	<b>51</b>
<b>Site Visits for Review of Project Applications</b>	<b>7</b>	<b>4</b>	<b>4</b>	<b>15</b>
<b>Permits Issued</b>	<b>14</b>	<b>11</b>	<b>12</b>	<b>37</b>
<b>Shoreline Photo Inventories</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>