



**M E M O R A N D U M**

**TO:** Terry Martino, Executive Director

**FROM:** John M. Burth, Environmental Program Specialist 2

**DATE:** September 5, 2013

**RE:** August Enforcement Program Report DRAFT

Attached is the Enforcement Program Report for August 2013 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	2013 August	2012	2011
At Beginning of Period	122	225	371
Cases Opened	14	258	305
Cases Closed	14	334	419
At End of Period	122	149	225

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

	<b>August 2013</b>	<b>2013 Total</b>	<b>2012 Total</b>
<b>New Cases Opened</b>	<b>14</b>	<b>141</b>	<b>258</b>
<b>Site Visits</b>	<b>32</b>	<b>136</b>	<b>249</b>
<b>Settlement Agreements Sent*</b>	<b>5</b>	<b>64</b>	<b>103</b>
<b>Settlement Agreements Signed</b>	<b>5</b>	<b>42</b>	<b>53</b>
<b>Notice of Violation or Hearing Sent</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Cases Referred to AG</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Referred to the EC</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Cases Closed: Compliance w/o SA</b>	<b>1</b>	<b>42</b>	<b>67</b>
<b>Cases Closed No Violation</b>	<b>8</b>	<b>72</b>	<b>132</b>

\* Currently 33 Open Cases with Unsigned Settlement Agreements

Memorandum to Terry Martino

September 5, 2013

Page 3

3. Breakdown of New Cases:

Type of Violation	August 2013	2013 Total	2012 Total	Outcome of Closed 2012 Cases (Violation or No Violation)
Subdivision Creating Substandard Lots	0	16	35	V-10 NV-9
Subdivision due to number of lots	0	4	9	V-6 NV-3
Subdivision in Resource Management	1	7	9	V-1 NV-2
Wetland Subdivision	0	7	9	V-8 NV-0
Wetland Disturbance	5	40	59	V-10 NV-25
Rivers Project	0	7	4	V-2 NV-0
Permit Violation	3	21	31	V-9 NV-16
SFD in CEA	0	0	3	V-0 NV-0
Hunting/Fishing cabin >500 sq ft	0	0	1	V-1
Structure >40' height	0	0	2	V-0 NV-0
Clearcut >25%	0	3	7	V-0 NV-7
Commercial Use	0	4	8	V-1 NV-7
Junkyards	1	2	1	V-0 NV-1
Campgrounds	0	0	2	V-1 NV-0
Mobile Home Court	0	1	0	V-0 NV-0
Shoreline Setback	2	16	53	V-12 NV-22
Waste Disposal Area	2	5	16	V-9 NV-6
Septic Setback	3	8	0	V-0
Sand and Gravel Excavation	1	3	3	V-2 NV-1
Multiple Family Dwelling	0	2	2	V-0 NV-0
Tourist Accommodation	0	0	2	V-0 NV-2

4. **Salesweb Monitoring 2013:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	5	0	4
February	12	0	9
March	8	0	5
April	5	0	3
May	8	0	5
June	9	2	5
July	3	0	2
August	14	1	11
September			
October			
November			
December			
TOTAL	64	3	44

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

Five enforcement cases were resolved by settlement agreements executed in **August 2013** as follows:

**SETTLEMENTS OF SUBDIVISION VIOLATIONS (2)**

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 Lot Subdivision (2)**  
E2008-0341A, Rounds, (Warrensburg, Warren County)  
E2013-0115, 5163 Sagamore LLC, (Putnam, Washington County)

**OTHER VIOLATIONS (3)**

E2013-0105, Chakumanian (Dresden, Washington County)

- Construction of a garage located partially within the shoreline setback of Fairy Creek in 2013. Settlement requires implementation of Agency-approved plan for remediation and completion of construction.

E2012-0029, Cardinell (Parishville, St. Lawrence County)

- Lateral expansion of a pre-existing single family dwelling within the shoreline setback of Blake Falls Reservoir through construction of an attached screen house between 2011 and 2012. Settlement requires implementation of Agency-approved plan for removal of the screen house.

E2009-0181, Big Tupper Lake Marina, LLC  
(Tupper Lake, Franklin County)

- Lateral expansion of a pre-existing structure within the shoreline setback of Tupper Lake in 2009. Settlement requires implementation of an Agency-approved remediation plan and payment of a \$750 civil penalty.

**6. Inter-Division Coordination**

This table provides a description of coordination activities between enforcement staff other programs within the Agency.

	<b>August 2013</b>	<b>2013 Total</b>
<b>Jurisdictional Determinations Issued from Enforcement</b>	<b>1</b>	<b>29</b>
<b>Project Pre-applications Assigned to Enforcement Staff</b>	<b>1</b>	<b>13</b>
<b>Permit Applications Assigned to Enforcement Staff</b>	<b>3</b>	<b>22</b>
<b>Site Visits by Enforcement Staff for Review of Project Applications</b>	<b>1</b>	<b>13</b>
<b>Permits Issued With Enforcement Staff as Assigned Project Review Officer</b>	<b>1</b>	<b>14</b>
<b>Permit Compliance Letters Sent</b>	<b>0</b>	<b>149 letters (for 65 permits issued)</b>
<b>Permit Compliance Site Visits</b>	<b>1</b>	<b>4</b>