



KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 3

DATE: March 6, 2019

RE: Enforcement Program Report

The following is the Enforcement Program Report for the months of January and February 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.

	Jan. 2019	Feb. 2019
Beginning of Period	163	155
Cases Opened	10	10
Cases Closed	18	7
End of Period	155	158

2. Detailed description of enforcement program activity.

	Jan. 2019	Feb. 2019	Total 2019
New Cases Opened	10	10	20
Site Visits	2	3	5
Settlement Agreements Sent*	17	11	28
Settlement Agreements Signed	3	4	7
Notice of Violation or Hearing Sent	0	0	0
Cases Referred to Attorney General	0	0	0
Cases Referred to Enforcement Committee	0	0	0
Compliance w/o Settlement Agreement	4	0	4
Cases Closed No Violation	5	3	8

* 21 Currently Open Cases with Unsigned Settlement Agreements

3. Types of Cases Opened:

Alleged Violation	Jan. 2019	Feb. 2019	2019 Total
Substandard Lot Subdivision	0	3	3
Lot Counting Subdivision	1	1	2
Resource Management Subdivision	1	0	1
Critical Environmental Area(CEA) Subdivision	1	0	1
Wetland Subdivision	1	1	2
Wetland Project	2	2	4
Development in River Area	0	0	0
Permit Violation	1	3	4
Development in CEA	0	0	0
Structure Over 40 Feet	0	0	0
25-Acre Clearcut	0	0	0
Commercial Use	0	0	0
Junkyard	0	0	0
Shoreline Structure Setback	2	0	2
Shoreline Cutting	1	0	1
Waste Disposal Area	0	0	0
Commercial Sand and Gravel Extraction	0	0	0
Dwelling in Resource Management	0	0	0
Septic w/in 100' of a wetland	0	0	0
Sawmill	0	0	0
Marina	0	0	0
Group Camp	0	0	0

4. **Salesweb Monitoring 2019:**

Month	Subdivisions In Park	Cases Opened	Subdivisions Reviewed as JIF or Permit
January	14	0	10
February	14	2	11
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL			

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

Seven enforcement cases were resolved by settlement agreements executed in **January and February 2019** as follows:

E2018-0078, Stock, (Caroga, Fulton County)

Subdivisions involving wetlands in 1975, 1984, 1986, 2008, and 2016. Settlement recognizes property as lawful, allows for construction of a single-family dwelling and on-site wastewater treatment system subject to conditions, requires merging of properties, requires Agency review of future subdivisions, restricts lighting, and requires filing in the County Clerk's Office.

E2018-0151A, Lorette (Harrietstown, Franklin County)

Subdivision creating a substandard-sized lot in 2008. Settlement recognizes property as lawful, allocates principal building potential, and requires filing in the County Clerk's Office.

E2018-0151B, Lorette (Harrietstown, Franklin County)

Construction of a single-family dwelling in 2002 creating a subdivision into substandard-sized sites, and subdivision creating substandard-sized lot in 2008. Settlement recognizes dwelling and property as lawful, allocates principal building potential, requires Agency review of any on-site wastewater treatment system replacement, restricts lighting, and requires filing in the County Clerk's Office.

E2019-0003, Tennyson Irrevocable Trust, (Chestertown, Warren County)

Undertaking a subdivision involving wetlands through construction of a single-family dwelling on one of the proposed lots in 2018. Settlement recognizes lots and dwelling as lawful, allows for construction of a dwelling subject to conditions on the other subdivision lot, allocates principal buildings, requires payment of a \$250 civil penalty, and requires filing in the County Clerk's Office.

E2019-0010, St. Paul's Church, (Indian Lake, Hamilton County)

Subdivision involving wetlands within wilderness area critical environmental area in 2003. Settlement recognizes property as lawful, requires a permit for any new land use or development, and requires filing in the County Clerk's Office.

E2018-0110A, Galvin, (Stony Creek, Warren County)

Subdivision creating a substandard-sized lot in Moderate Intensity Use in 2003. Settlement recognizes property as lawful, requires a permit for future subdivision, and requires filing in the County Clerk's Office.

E2018-0135, Seifter and McAuliffe, (Long Lake, Hamilton County)

Construction of structures in noncompliance with Permit 88-186, structure in wetlands, and stairway within shoreline setback, all since 1990. Settlement recognizes structures as lawful upon implementation of remediation depicted on an Agency-approved site plan and requires filing in the County Clerk's Office.

6. Inter-Division Coordination

	Jan. 2019	Feb. 2019	2019 Total
Jurisdictional Determinations Issued from Enforcement	3	9	12
Project Pre-Applications Assigned to Enforcement Staff	1	1	2
Permit Applications Assigned to Enforcement Staff	9	6	15
Site Visits by Enforcement Staff for Review of Project Applications	5	5	10
Permits Issued with Enforcement Staff as Assigned Project Review Officer	4	3	7
Shoreline Photo Inventories	0	0	0