



M E M O R A N D U M

TO: Terry Martino, Executive Director

FROM: John M. Burth, Environmental Program Specialist 2

DATE: July 5, 2012

RE: June Enforcement Program Report

Attached is the Enforcement Program Report for June 2012 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	2012 June	2011	2010
At Beginning of Period	151	371	363
Cases Opened	19	305	380
Cases Closed	23	419	372
At End of Period	147	225	371

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

	June 2012	2012 Total	2011 Total
New Cases Opened	19	118	305
Site Visits	28	112	281
Settlement Agreements Sent*	20	84	198
Settlement Agreements Signed	9	35	112
Notice of Violation or Hearing Sent	0	0	0
Cases Referred to AG	0	0	0
Cases Referred to the EC	0	0	1
Cases Closed: Compliance w/o SA	6	35	46
Pre-2000 Subdivisions Closed	2	64	112
Cases Closed No Violation	6	62	149

* Currently 54 Open Cases with Unsigned Settlement Agreements

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3. Breakdown of New Cases:

Type of Violation	June 2012	2012 Total	2011 Total
Subdivision Creating Substandard Lots	2	22	58
Subdivision due to number of lots	2	8	2
Subdivision in Resource Management	1	3	26
Wetland Subdivision	0	5	45
Wetland Disturbance	4	29	41
Rivers Project	1	2	1
Permit Violation	1	11	29
SFD in CEA	0	0	6
Hunting/Fishing cabin >500 sq ft	0	1	1
Structure >40' height	0	0	2
Clearcut >25%	1	4	3
Commercial Use	1	5	5
Junkyards	0	0	3
Campgrounds	0	0	1
Mobile Home Court	0	0	2
Shoreline Setback	4	20	67
Waste Disposal Area	0	7	3
Sand and Gravel Excavation	2	3	2
Multiple Family Dwelling	0	0	3
Tourist Accommodation	0	0	2

4. **Salesweb Monitoring 2012:**

Month	# Subdivisions in Park	# Cases Opened	# Subdivisions Related to Previous JIF or Permit
January	15	0	9
February	3	0	2
March	6	0	6
April	8	0	6
May	14	0	7
June	4	0	2
July		0	
August		0	
September		0	
October		0	
November		0	
December		0	
TOTAL	50	0	32

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

Nine enforcement cases were resolved by settlement agreements executed in **June 2012** as follows:

SETTLEMENTS OF SUBDIVISION VIOLATIONS (4)

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.

• **Wetland Subdivision (3)**

Bigelow, E2008-0113 (Westport, Essex County)
Wells, E2007-0019B (Johnsburg, Warren County)
Cringle, E2011-0195 (Saranac, Clinton County)

• **Substandard Lot Subdivision (1)**

Birchenough, E2008-0198A (Fine, St. Lawrence County)

Other Violations (5)

- E2011-0197, Foley (Webb, Herkimer County)
Construction of attached structures greater than 100 square feet in size and located within 50 feet of the mean high water mark of The Narrows beginning in 2001 in noncompliance with Agency shoreline setback restrictions. Settlement requires implementation of an Agency-approved remediation plan.
- E2011-0210, Lanphear (Clifton, St. Lawrence County)
Single family dwelling constructed in 1989 in noncompliance with Agency Permit 82-4. Settlement authorizes the single family dwelling, allocates principal building rights to the property, and requires upgrading of the on-site wastewater treatment system. Settlement must be filed in the County Clerk's office.
- E2010-0166, Schaffer (Webb, Herkimer County)
Construction of a single family dwelling in 1996 by a prior owner that is greater than 40 feet in height without the necessary Agency permit. Settlement restricts color and lighting of the house, restricts vegetation removal on the property, and requires upgrading of the on-site wastewater treatment system.
- E2008-0332, Riedel (Webb, Herkimer County)
Construction of stairway in 1999 by a prior owner and boat storage structure in 2008 in noncompliance with Agency shoreline setback restrictions. Settlement requires implementation of an Agency-approved remediation plan and payment of a \$1,000 civil penalty.
- E2005-0111, Forgues (Bellmont, Franklin County)
Establishment of a leaching component of an on-site wastewater treatment system within 100 feet of the mean high water mark of Lower Chateaugay Lake in 2005 and construction of a walkway and platform greater than 100 square feet in size within 50 feet of the mean high water mark of Lower Chateaugay Lake since 2005 in noncompliance with Agency shoreline setback restrictions. Settlement requires the addition of an aerobic treatment unit to the on-site wastewater treatment system and implementation of an Agency-approved plan to bring the structures into compliance.