

ENCROACHMENTS

What is an encroachment? An encroachment is the placement, construction or continued existence of a permanent or semi-permanent structure or other privately owned property on, under, in, or over publicly owned lands or lands held in flowage easement without prior written permission of the Corps of Engineers. Examples of encroachments include, but are not limited to, buildings of any type, roads or trails, septic tanks, drainage tiles, fences or any other actions that would alter public lands. When discussing encroachments, we must also consider the destruction, injury, defacement, removal or any alteration of public property including natural formations, historical and archaeological features, boundary markers and vegetative resources, this includes cutting of trees and brush.

WHY WORRY ABOUT ENCROACHMENTS?

1. Encroachments are a violation of law/regulation and compromise the full and unencumbered use of public lands.
2. Known encroachments are documented by the Corps and may be recorded in the county courthouse with the property deeds. Most lending institutions will not proceed with a loan if such a condition exists. Adjacent landowners wishing to sell their home and property with a "cloud" on their deed may experience delays and additional costs.

3. In certain cases a citation may be issued. The citation could involve a monetary fine and/or appearance before a federal magistrate to resolve the encroachment.

HOW ARE ENCROACHMENTS DISCOVERED?

1. Corps of Engineers or other agencies performing walking and/or aerial boundary surveillance.
2. Mortgage Surveys
3. Flood Pool Impoundments
4. Complaints/Information from adjacent landowners and the general public.

IF YOU HAVE AN ENCROACHMENT?

If you own property next to a US Army Corps of Engineers project and have items of personal property that are encroaching on public lands, please remove them. You may also contact the Saylorville Lake Project Office and make an appointment to meet with a park ranger. The ranger will be able to meet with you on site and discuss the options available, and work with you to take action necessary to resolve the encroachment or trespass. In some instances, these meetings will prevent a landowner from making a costly and time-consuming mistake.

Facts about Boundary Management and Encroachments

SAYLORVILLE LAKE



**US Army Corps
of Engineers**
Rock Island District

FOR MORE INFORMATION

Contact Saylorville Lake Administration
Office, located on the west end of the
Saylorville Dam at (515) 276-4656.
www.corpslakes.us/saylorville

GUIDELINES FOR ADJACENT

PROPERTY OWNERS AND RESIDENTS

In keeping with the flood risk management, water supply, low flow augmentation, environmental stewardship and recreation mission of the U.S. Army Corps of Engineers, this publication is designed to acquaint adjoining property owners, residents and other interested persons with the rules and regulations that apply to the management of public lands at Saylorville Lake. Maintaining the integrity of the Saylorville Lake Project's purposes is given primary consideration in all management decisions. This ensures the maximum use and enjoyment of the lake, lands and waters by present and future generations.

Private and/or exclusive use of public lands is not allowed. All citizens, including property owners adjacent to public lands, enjoy the same rights and privileges. One of the most valued privileges is that of pedestrian access. Most public lands at Corps lakes are open to pedestrian traffic with the exception of certain controlled access areas and secure operational areas which are identified on maps and with gates or signage.

GOVERNMENT OWNED LAND

Lands purchased by the Federal Government consist of the lands needed for flood water storage and release and other operational purposes in managing the project. The boundaries defining this public land are marked with monuments which are usually set at ground level or slightly above and are similar to those shown in Figure 1. It is illegal to disturb boundary monumentation

and markers. Another commonly used boundary marker is the orange property boundary post shown in Figure 2. These are only two of the several styles of boundary markers that have been used to define government property at the Saylorville Lake Project.



Figure 1. U.S. Government Boundary Marker



Figure 2. U.S. Government Boundary Post

PROHIBITED USES OF PUBLIC LAND

1. Any type of private exclusive use.
2. Placement of unattended personal property of any kind on public land for more than 24 hours.
3. Clearing vegetation, mowing or constructing buildings, roads, improved pathway, septic laterals or any other facilities on public land.
4. Restricting public access either verbally, by posting signs, or by any other method.
5. Operating motorized vehicles except when operated on paved roadways and at authorized access points.
6. Disposal of any type of garbage, debris, or other refuse on public land.
7. Building fires on public land, except in authorized locations.
8. Gathering of firewood.
9. Allowing horses, cattle, or other livestock on public land, except by lease from the government or as otherwise permitted.
10. Use of fireworks.
11. Camping except in designated camping areas.
12. Possession of firearms or other projectile firing devices, unless being used for hunting or fishing in a permitted area.

For a complete list of regulations pertaining to Corps of Engineers lands please refer to CFR Title 36 Chapter 327.