

**EVALUATION OF OPTIONS TO MANAGE
UNAUTHORIZED ENCROACHMENTS ON DISTRICT'S LAND**

Management Options	Advantages	Disadvantages
1. Eliminate unauthorized encroachments on District's lands.	<ul style="list-style-type: none"> a. Consistent with District Act, policies, Water Resources Protection Collaborative, Water Resources Protection Manual, Valley Habitat Plan. b. Consistent with District practice of using public lands for public purposes. c. Lands are immediately available for District use for emergencies, unforeseen activities, access, and stream maintenance mitigation purposes. d. Consistent with District advocacy for protecting riparian corridors and maximizing riparian setbacks to the extent practical, and restoring and enhancing the riparian corridor when appropriate. e. Additional riparian buffers will contribute to improving water quality f. Equitable treatment of all residents regarding encroachment on District lands. g. Demonstrate good will in working with environmental groups and non-governmental organizations (NGO) in advocating stream stewardship goals. 	<ul style="list-style-type: none"> a. Cost for property owners to remove personal improvements on District lands. b. Complaints by property owners of unfair action by the District when the current owners did not verify their property boundaries when they purchased the property. c. Complaints by property owners that District staff knew about encroachment issues and did not act until now, and that they were allowed to use District lands in exchange for taking care of the lands and allowing District access through their properties to conduct creek maintenance. d. Additional staff time and expenses in cases where adjacent property owners refuse to vacate their personal properties on District lands.
2. Allow encroachments by leasing at fair market values on the condition that the District will terminate the lease when a District use or project is identified or when the property ownership changes.	<ul style="list-style-type: none"> a. Demonstrate goodwill in working with property owners by allowing personal use of District lands to continue. b. Formalizes encroachment on District lands and ensures there is no gift of public funds. c. Reduce potential litigation. 	<ul style="list-style-type: none"> a. Encourage practice of using public lands for private purposes. b. Inconsistent with District recommendation of protecting riparian corridors and maximizing riparian setbacks to the extent practical and restoring and enhancing the riparian corridor when appropriate. c. Complaints about preferential treatment in allowing only some property owners use of District lands relative to others that have

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		<p>remediated encroachments.</p> <p>d. Continued encroachment within riparian buffers would render land unavailable to the general public, as for trails.</p> <p>e. Continued encroachment would prevent habitat improvement for a large variety of plant and animal species.</p> <p>f. Expenditure of public funds in additional staff time to manage leases. Additional District resources to ensure that new encroachments are not encouraged and do not occur.</p> <p>g. Unfair advantage to encroaching property owners with the funds available to lease property over encroaching property owners with less means available.</p>
3. Exchange similar stream-side land with land where unauthorized encroachment on District land is located.	<p>a. Achieve no net-loss in streamside riparian buffers in the county.</p> <p>b. Demonstrate goodwill in working with property owners to resolve personal use of District lands.</p> <p>c. Eliminate personal use of District lands.</p>	<p>a. Expenditure of public funds in additional staff time to process exchange of lands.</p> <p>b. Very low availability of commensurable riparian lands.</p> <p>c. Potential harm to root systems of adjacent streamside trees.</p>
4. If determined excess, sell the land to the adjacent property owner(s)	<p>a. Demonstrate goodwill in working with property owners to resolve personal use of District lands.</p> <p>b. Revenue source for the District.</p>	