

Overview of Proposed Revised Encroachment Remediation Program

Program Objective: To resolve District encroachments using a consistent, comprehensive and policy-driven process

Guiding Principles:

- The District is a steward of public lands and committed to ensuring its use is dedicated to the greater common good
- The District is committed to the health and safety of these public lands
- The District is committed to environmental stewardship
- The District values community education and community relationships

Key Components:

- Staff will work amicably with property owner to recover District property
- Resolution process will focus on education and community relationships
- Where applicable, licensing District property is an option as an interim step in resolution
- Resolution will be based on the priority criteria outlined below:

Priority Matrix for Addressing Encroachments		
Priority	CRITERIA – Does/Is the encroachment:	OPTIONS
#1	Pose a potential threat to public/staff health and safety or create an actual or potential violation of law by the District or expose the District to potential civil or criminal liability (Located in a floodway, below or at top of bank, siphoning from creek, hazardous materials, severe erosion, blockage of creek, land slide, hazardous trees, potential pipeline damage or potential liability associated w/Injury to others)	Resolve
#2	Located in a riparian corridor with protected/endangered species, protected habitat, active mitigation or otherwise threaten environmental health and safety (Water quality, stream stability, environmental threat)	Resolve
#3	Located within a planned project area, a riparian corridor with potential for mitigation, impact the District's ability to operate and/or maintain an existing facility or ability to proceed with the planned construction of a facility scheduled to begin in three years or less (Blocks maintenance access, impacts a levee or imposes alternative access/project design)	Resolve
#4	Located within a planned project area, a riparian corridor with potential for mitigation, impact the District's ability to operate and/or maintain an existing facility or ability to proceed with the planned construction of a facility not anticipated to begin in more than three years	Resolve after issuing a license for an interim period
#5	Located at the site of a future collaborative project with the city/county that will benefit the public at large (e.g. trails) scheduled to begin in three years or less	Resolve after issuing a license for an interim period
NOTE: Licenses under this program will only be considered for encroachments pre-existing the date of adoption of this policy. The program is not designed to encourage or authorize new encroachments.		

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