I.   POLICY

No encroachment shall be permitted on District managed lands unless prior written approval is obtained from the District.

II.   PURPOSE

The District has the responsibility to preserve properties under district ownership and/or management. Occasionally, the gradual spreading of adjacent property dimensions onto property managed by the District has occurred. Correcting the erroneous infringement of District managed lands has proved to be challenging, time consuming and expensive. Therefore, the District must take proactive steps to ensure District owned and managed properties are carefully monitored for encroachment violations.

III.   PROCEDURE

A.   An "encroachment" is a "passive" use of or infringement on or over District owned or managed property or right-of-way (ROW). Examples of encroachments are a fence or building which has inadvertently been placed on property owned or managed by the District; an awning or sign that overhangs a County/District trail; or a banner which overhangs a District right-of-way.

B.   Legal descriptions and boundary maps for park and open space land will be kept on file with the Resources Bureau/Planning Division and Natural Resources Division. Those lands managed by the District will have current files identifying boundaries under file with the Resources Bureau/Natural Resources Division.

C.   District/County owned Park and Open-Space lands having no locatable legal description or boundary map will need to be surveyed to obtain the appropriate legal descriptions and boundary maps.

D.   Should a request for encroachment be submitted, all matters shall be referred to the Resources Bureau/Planning Division.

1. The Senior Park Planner is the designated person who is responsible for receiving, reviewing, and acting on all encroachment requests.

E. Boundaries for all properties managed by the District shall be posted and/or fenced when not clearly defined by a bordering roadway, drainage structure, etc. These boundaries are to be patrolled by District Park Rangers during ongoing management activities to identify encroachment or vandalism. Encroachment is typically found along access areas and right-of-ways. When encroachment is discovered, the Ranger shall report the suspected violation to the appropriate manager or Resources Bureau Chief for investigation. Staff will use site surveys and work with the Riverside County Transportation and Land Management Survey Division and Riverside County Economic Development Agency Real Property Division to determine if encroachment exists. Where an encroachment exists, the County office of County Counsel is used as necessary to rectify the situation.

1. If the District owns the property, encroachment issues will be forwarded to the Chief of Resources for follow-up.

2. If the Chief of Resources is unable to satisfactory resolve the issue, it shall be forwarded to the Chief of Business Operations for proper resolution.

3. If the property is owned by others, and managed by the District, the encroachment issue will be forwarded to the contact liaison for resolution.

   a. The encroachment issue will be documented in writing and kept on file.

   b. The documents shall include maps, dates of contact and other critical information.

   c. The document will remain open until such a time, as the encroachment issue has been properly resolved.

Policy 7.9 *Encroachments in Parks and Open Space Areas*

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