

Staff Report

for the Maintenance & Resource Management Committee February 25, 2020

TO: Maintenance & Resources Management Committee Members

FROM: Greg Jones, Assistant General Manager *GJ*

DATE: 2/18/2020

SUBJECT: Cascade Shores Trespassing & Encroachments Violations

ADMINISTRATION

RECOMMENDED ACTION:

Receive an update on trespassing and encroachment violations on District property, and direct staff as appropriate.

BACKGROUND:

NID has verified various trespassing and encroachment violations from 34 individual private properties adjacent to NID property in the Cascade Shores area. For ease of discussion, the violations have been separated by area in the attached document. Below is an overview of violations:

Yellow Rectangle:

- Property owner has cut an ATV trail two miles in length into District property (tree/vegetation removal, shoveled out hillsides, placed debris into natural waterways for crossings).
- Property owner has installed a propane tank and utility lines on District property. Both the tank and lines were permitted and inspected by Nevada County in 2017.
- Property owner has installed an RV carport with a concrete foundation, underground electrical and, excavate approximately eight feet of hillside without adequate installation of soil stabilization practices.
- Property owner has installed a carport and shed on poured concrete foundations and excavated approximately four feet of hillside without adequate installation of soil stabilization practices.
- Property owner has installed an elevated playhouse, half of which is located on NID property.

Red Oval:

- Various property owners have installed five, four-inch diameter drainage lines running from private property to just above the high water line. Source of drainage lines are unknown yet the lines drain into the reservoir.

Green Rectangle:

- Dirt bikes are being driven on District property from west of the Cascade Shores boat ramp to the dam. On three separate occasions, teenagers have been stopped and spoken to by District personnel.

Purple Rectangle:

- Property owner has extended private fencing onto District property below the high water line.
- Private property owners have conducted various tree and vegetation removal on NID property.

District Policy No. 10500 lists activities that are prohibited on District-owned properties. As noted in the policy, listed activities can impact the District's ability to accomplish its mission and have a negative impact on threatened or endangered species, disturb remnants of Native American culture, generate litter, produce vegetation loss, cause ground disturbance, undermine canal berms, pose a threat to critical infrastructure, cause damage to structures or equipment, create a risk to the public or District employees, and/or cause water degradation. This policy expressly prohibits:

- The removal or trimming of trees or other vegetation;
- Vehicle travel off established roads;
- Accessing reservoir shorelines from areas other than designated roads, boat launch sites, parking areas, and trails;
- Occupation or settlement of uninhabited buildings;
- Discharge of material into the water body; and
- Damage or destruction of District facilities;

Encroachments staff are prepared to send each property owner a Letter of Violation and a Demand for Cure. Staff is bringing this to the attention of the Committee and seeks direction on the level of engagement with property owners.

BUDGETARY IMPACT:

None, staff time only.

ATTACHMENT:

- Cascade Shores Violation Area Map
- Photographs
- District Policy No.10500 - Activities Prohibited on District Properties

053

054

Soots Flat Reservoir

070

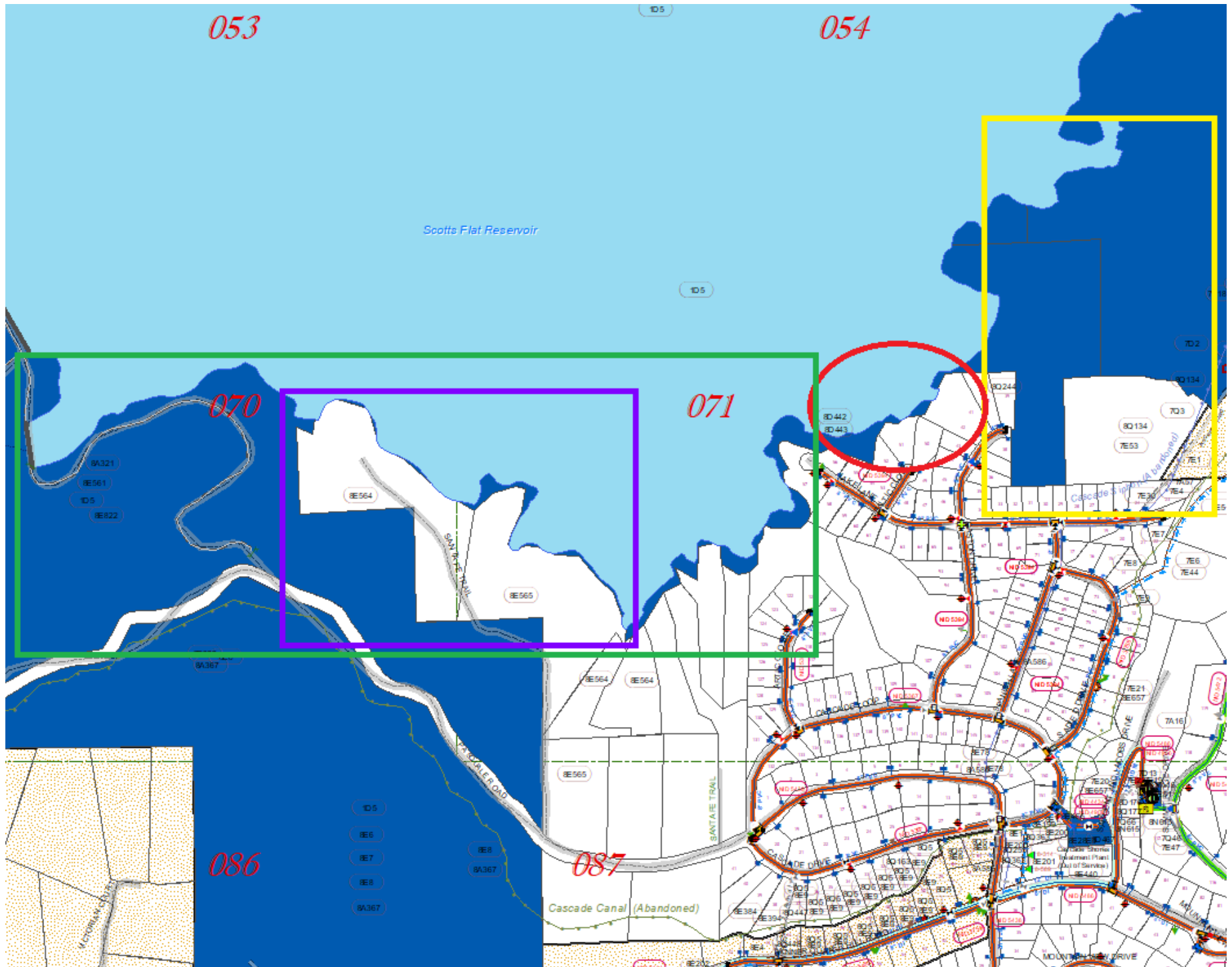
071

RD 442
RD 443

086

087

Cascade Canal (Abandoned)



Yellow Rectangle

2-Mile ATV Trail to Lake





Posted Sign on ATV "Trail" Next to Property Owner



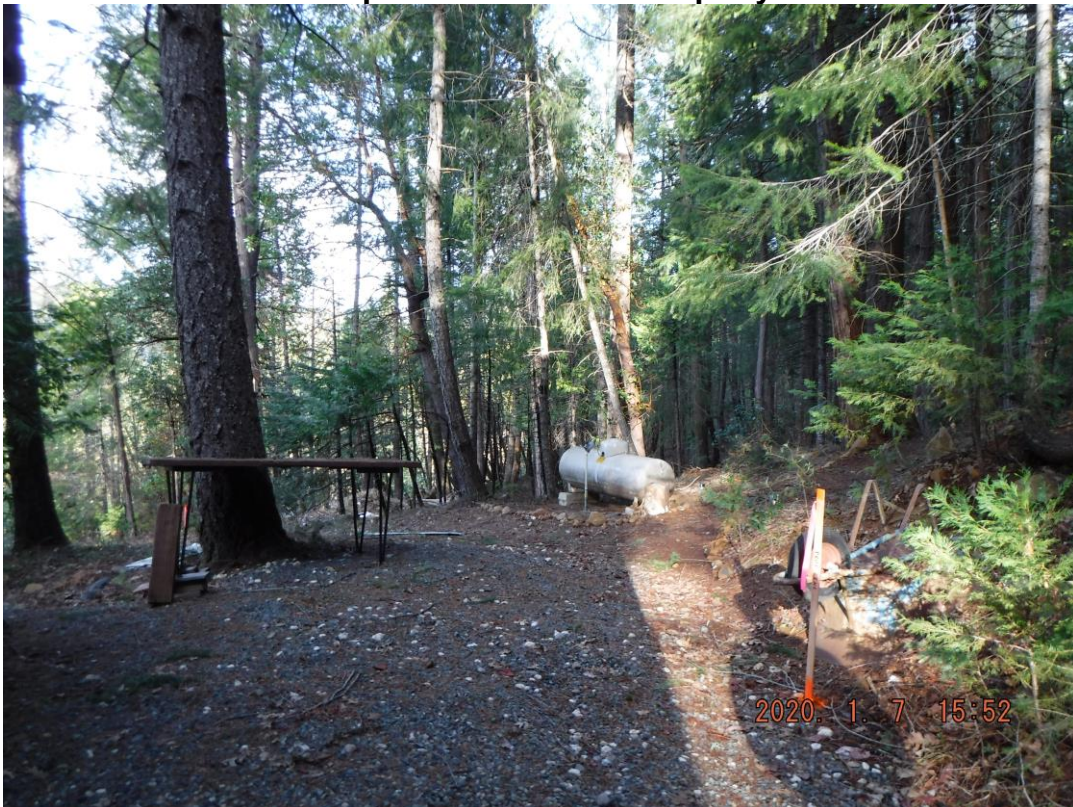
Both a "Boat" and an "RV" Carport on NID Property



Elevated Playhouse Bisects Property Boundary



Propane Tank on NID Property



GREEN RECTANGLE AREA

Dirt Bike Tracks on Shoreline



PURPLE RECTANGLE AREA

Tree / Vegetation Removal



RED OVAL AREA

Drain From Homes To Lake



Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Activities Prohibited on District Properties

POLICY NUMBER: 10500

- 10500.1** Purpose and Goal. The District's mission is to provide a dependable, quality water supply; continue to be good stewards of the watersheds, while conserving the available resources in our care. Certain activities can impact the District's ability to accomplish its mission and have a negative impact on threatened or endangered species, disturb remnants of Native American culture, generate litter, produce vegetation loss, cause ground disturbance, undermine canal berms, pose a threat to critical infrastructure, cause damage to structures or equipment, create a risk to the public or District employees, and/or cause water degradation.
- 10500.2** To further the District's mission and to protect the environment, District infrastructure, employees, the public, and the cultural and historical resources found on District watershed lands and those lands adjoining its water storage and conveyance system, the following activities are prohibited on District property or facilities without the advance written authorization from the District:
- a) Geocaching;
 - b) Metal detecting;
 - c) Prospecting;
 - d) Collecting artifacts;
 - e) Hunting;
 - f) Possession or use of fireworks;
 - g) Possession or use of firearms or ammunition;
 - h) Removal or trimming of trees or other vegetation;
 - i) Vehicle travel off established roads;
 - j) Swimming in NID canals and conduits;
 - k) Growing of plants, including production agriculture;
 - l) Grazing of animals;
 - m) Accessing reservoir shorelines from areas other than designed roads, boat launch sites, parking areas, and trails;
 - n) Launching or operating unmanned aircraft systems (drones);
 - o) Camping outside of designated areas;
 - p) Occupation or settlement of uninhabited buildings or other District property;
 - q) Campfires outside of designated fire-rings;
 - r) Campfires burning materials other than wood;

- s) Operation of flyboards or similar equipment powered by personal water craft or jet boat;
- t) Parking outside of designated parking areas or designated times;
- u) Repair of automobiles or other vehicles;
- v) Discharge of materials into the water body;
- w) Climbing on or jumping from District facilities;
- x) Damage or destruction of District equipment or facilities, or the equipment of the District's agents, employees, consultants, contractors or other representatives;
- y) Ignoring direction of District staff or Federal, State, or Local officials;
- z) Any other activity prohibited by Federal, State, or Local law or any District Policy; or
- aa) Any other activity that, in the determination of the District, poses a risk to or undermines the ongoing successful implementation of the District's mission.

Any tools, refuse, damage or litter left or placed on District properties associated with the above prohibited activities shall be removed by District personnel at the owner's expense.

10500.3 This policy shall apply to all District properties, including shorelines along all District reservoirs, and including its easements where the District determines such activities interfere with the District's successful implementation of its mission.

Adopted: October 22, 2014 via Resolution No. 2014-47
Revised: October 11, 2017 via Resolution No. 2017-28