
Tuttle Creek Corps of Engineers

1 message

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To: "universityparkboard@gmail.com" <universityparkboard@gmail.com>

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I was asked to put together some basic information that might be helpful to communities near Tuttle Creek or property owners with property adjoining public lands. Our office has received an increase in reports of shoreline and off-road driving at University Park and want to make sure your community is aware it is prohibited. Please feel free to share the attached information with your community members. If you have people that would like more information about the guidelines for property owners with land that adjoins public lands, please let them know they can reach out to our office.

Thank you.

Angelia Lentz

Park Ranger

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U.S. Army Corps of Engineers - [Tuttle Creek Lake](#)

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**University Park Letter 9-10-24.pdf**

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Greetings from the U.S. Army Corps of Engineers, Tuttle Creek Lake (Corps). Corps officials want to remind adjacent property owners and those living near Tuttle Creek Lake of a few of the rules and regulations for public lands that are commonly violated.

- 1) The operation of vehicles off authorized roadways on project land (public lands) is prohibited. This applies to all vehicles, including but is not limited to motorcycles, mini-bikes, UTVs, ATV's, four-wheel-drive, off road, and all-terrain vehicles except in designated areas. Driving off road destroys public property and degrades the shoreline.
- 2) Encroachments onto public lands. An encroachment is the placement, construction, or continued existence of a permanent or semi-permanent structure or placement and/or storage of other privately owned property on publicly owned lands without written permission from the Corps of Engineers. The following are a few examples.
 - Garbage, yard waste or wastewater discharged on public lands.
 - Placement of personal property (wood racks, fire rings, dog houses etc)
 - Unauthorized structures (lateral fields, sheds, decks, fences, stairs, improved trails etc)
 - Land alterations (roads and driveways, improved trails, garden, fill and excavation, tree/brush clearing etc)
- 3) Encroachments of flowage easement lands. Property owners adjacent to public lands commonly have a flowage easement legally recorded on their privately owned property adjacent to public lands. The most common easement around Tuttle Creek Lake includes all land under elevation 1140 msl, namely flowage easement lands. These flowage easement lands primarily involve property owned by the University Park Improvement District, however virtually all privately owned lots on Briar Circle and Briar Lane in University Park have flowage easement lands recorded on those lots. In short, a flowage easement grants the United States the right to flood or submerge the land as a part of the operations of the lake. The easement prohibits structures for human habitation on these portions of privately owned properties. In addition, all non-habitable structures or improvement to land encumbered by flowage easement must have a consent to easement from the Corps. Examples of consents that can be obtained include culverts, driveways, pipelines, lateral fields, etc. Examples of consents that will likely be denied include changes to contour that would reduce the storage capacity of the reservoir, construction of any habitable structure, etc.

The location of property lines, including the approximate location of flowage easement lands are publicly available on the Riley County Community GIS website. In most cases, a permit or consent can be issued for the above activities on both public lands as well as flowage easement lands. Requests for such structures and/or activities should include who/what is being requested, the location where the work is taking place, whether it's on public property or flowage easement. The request should be submitted to the Corps, which will determine if the activity is allowable and what the appropriate permitting process is. Any of the above activities or structures placed without a permit or consent is prohibited and can be subject to enforcement as an encroachment of public property.

We are here to work with adjacent landowners and assist with permit applications in anyway we can. Please contact our office at 785-539-8511 if you have any questions or would like assistance.

