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LAND PURCHASES AND USDA-NRCS FLOOD CONTROL DAMS

When Land is Placed on the Market

When land where a flood control dam is located is placed on the market for sale, realtors and potential land purchasers need to be aware of recorded easements. They also need to know that a local unit of government (in many cases the local conservation district or city) is the sponsor of the watershed project and has certain rights, such as the right to enter the property to inspect the dam and perform operation and maintenance activities and repairs.

These dams were constructed primarily for flood control and were designed to provide that function in a way that keeps the dam safe. The dams cannot be modified in any way without the permission of the project sponsor.

The designed water level cannot be raised, the principal spillway (concrete or metal tower in front of the dam connected to a pipe through the dam) cannot be modified, structures such as corrals, fences or buildings cannot be placed on the dam or in the earthen auxiliary spillway, and vegetation on the dam must be maintained to provide adequate erosion control.

Other questions about flood control dams should be directed to the project sponsor.



Building Houses or Other Structures

Flood control dams reduce flooding by trapping water during heavy rainstorms and releasing it slowly through a pipe in the dam over a period of several days.

Easements also exist for temporary storage of floodwater in an area upstream from the dam (flood pool), meaning that *the area covered by water in the lake can greatly increase following a heavy rainstorm.*

The watershed project sponsor can provide the elevation of the flood pool. This is important to know when selecting a location for building a house or other structure or planting crops or orchards in the area upstream from the dam.

Potential buyers should also be aware of the potential danger of building a house downstream from the dam. They should find out the area downstream that would be flooded if the dam failed.

Other Things Potential Buyers Need to Know

1. Landowners don't have to let people fish in or camp around the lake, even though it was built with government funds.
2. Landowners can use water from the lake to irrigate, but they need to talk to the agency that regulates water rights in the state.
3. Landowners are asked to cooperate with the local project sponsor in operating and maintaining the dam to ensure it remains safe and functions as designed. This means proper grazing of the vegetation on the dam and in the earthen spillway and reporting any problems to the project sponsors.