The Illinois Office of Water Resources

Public Water Encroachments
IDNR/OWR  Public Water Regulations

Regulation of Public Waters: Part 3704 Rules

Administered under 17 ILL. ADM. CODE, CH. I, SEC. 3704

Decks

Docks

Dwellings
“...to protect the public’s interests, rights, safety and welfare in the State’s public bodies of water. More specifically, construction will be regulated to prevent:

1. Obstruction to, or interference with, the navigability of any public body of water;

2. **Encroachment** on any public body of water; and

3. Impairment of the rights, interests or uses of the public in any public body of water or in the natural resources thereof.
Decks are NOT Docks
Private occupation of Public Waters for personal gain
Boat

Docks
Nicer Covered Boat Docks
Illegal Boat Docks

Private occupation of Public Waters

Nice, but...
Departmental Standards

1. No activity which would result in an obstruction to, or interference with, the navigability of any public body of water will be permitted.

2. No activity which would result in bank or shoreline instability on other properties will be permitted.

3. If it is determined that an activity would result in a long term or permanent encroachment on a public body of water or impairment of any rights, interests or uses of the public in the body of water or in the natural resources thereof, a permit will be issued only if it is demonstrated that:
Floating Dwellings are NOT Boats
Not a vessel
No means of self propulsion or navigation
Floating Cabins
Departmental Standards (cont.)

a. The project has been designed and will be constructed and operated in a way which will minimize and mitigate to the fullest practicable extent its encroachment on the body of water and its impairment of the rights, interests and uses of the public in the body of water and in natural resources thereof; and

b. There would be a public benefit, such as the enhancement of navigation, natural resources, boating, hunting or other normal and lawful use of the body of water, resulting from the activity which offset the encroachment and/or impairment impacts.
...the natural resources thereof...

Black Crowned Night Heron