

# The Illinois Office of Water Resources

## Public Water Encroachments





# IDNR/OWR Public Water Regulations

---

## **Regulation of Public Waters: Part 3704 Rules**

615 ILCS 5 (2000 State Bar Edition)

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

Decks

Docks

Dwellings



*Illinois Department of Natural Resources, Office of Water Resources*

# Part 3704 Rules

## *Regulation of Public Waters*

---

“...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.







# BROKEN OAR

## MARINA-BAR & GRILL

EVENTS

T-BAR

MARINA

CONTACT

DS

SATURDAYS - LIVE BANDS 2:30pm & 8:30pm

SUNDAYS - LIVE BANDS 2:30pm

DAILY MARTINI, BEER, SHOT & COCKTAILS

DAILY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

SUNDAY

UPCOMING EVENTS



Decks are NOT Docks





Private occupation of Public Waters for personal gain



Boat

Docks



# Nicer Covered Boat Docks





# Illegal Boat Docks



Nice, but...

Private occupation  
of Public Waters



# IDNR/OWR Public Waters Permit Program (cont.)

## 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





04/07/2015





# Floating Cabins



Boat

Building







# IDNR/OWR Public Waters Permit Program (cont.)

---

## 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.



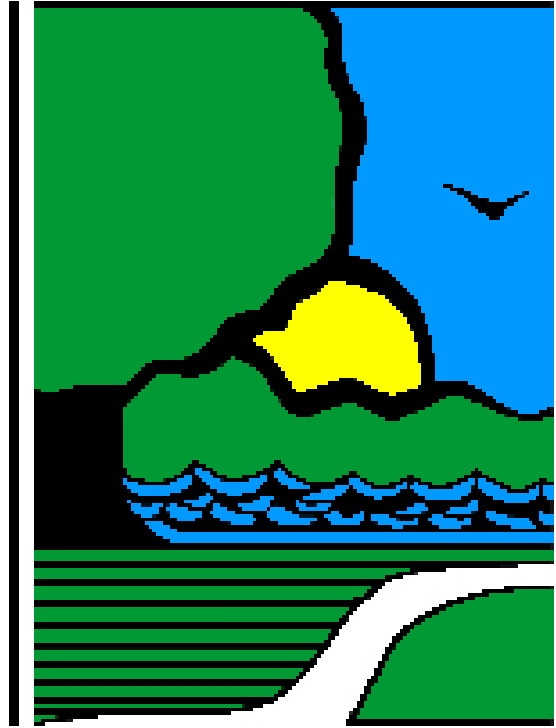


...the natural resources thereof...



Black Crowned Night Heron

ILLINOIS



DEPARTMENT OF

NATURAL  
RESOURCES