



US Army Corps  
of Engineers  
Fort Worth District

## KNOW YOUR BOUNDARIES at CANYON LAKE

### GUIDELINES FOR ADJACENT PROPERTY OWNERS AND RESIDENTS

In keeping with the flood damage reduction, environmental stewardship and recreation mission of the U.S. Army Corps of Engineers, this publication is designed to acquaint adjoining property owners, residents, and other interested persons with the rules and regulations that apply to the management of public lands and flowage easements at Canyon Lake. Maintaining the integrity of project purposes is given primary consideration in all management decisions to insure the maximum use and enjoyment of the lake lands and waters by present and future generations of Americans.

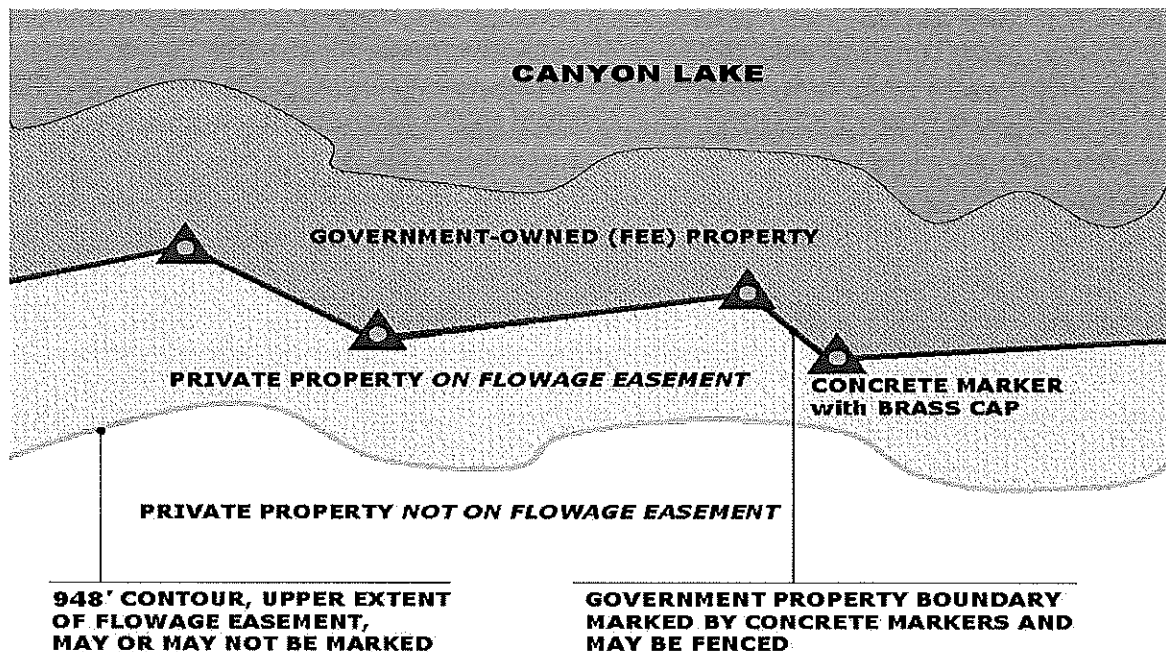
While private, exclusive use of public lands is not allowed, all citizens, including property owners adjacent to public lands, enjoy the same rights and privileges. One of the most valued privileges is that of pedestrian access to most of the public lands surrounding the lake. With the exception of certain controlled access park areas and secure operational areas, most public land at Corps lakes is open to public pedestrian traffic.

### GOVERNMENT OWNED (PUBLIC) LAND

Land which is owned by the Federal government consists of the land inundated by Canyon Lake at the conservation (normal) pool elevation of 909.00' above mean sea level, as well as a strip of land of varying width which surrounds the lake when the lake is at the conservation pool elevation. The limits of this public land are defined by the U.S. boundary line, the corners of which are marked by concrete monuments. These monuments, or boundary markers, are topped with a brass cap which is usually about four inches above ground level. At some lakes the brass caps may be mounted on rocks or on metal pipes as well. The U.S. boundary line may or may not be delineated by a fence.

If you have questions about the location of the government property boundary, contact the Canyon Lake Project Office at 830-964-3341. A field appointment with a Corps ranger can be scheduled to assist you in locating the boundary or in obtaining answers to any other questions you may have concerning the management of public land. Written inquiries may be addressed to:

U.S. Army Corps of Engineers  
Canyon Lake Office  
601 C.O.E. Road  
Canyon Lake, TX 78133



#### USES OF PUBLIC LAND AVAILABLE TO ADJACENT PROPERTY OWNERS AND RESIDENTS

1. Apply for a permit to mow, remove flood debris, or clear underbrush to reduce a potential fire hazard or pest infestation. Please contact our project office for more information. Mowing permits must be renewed annually; the size of allowable mowed area shall be specified in mowing permit. Flood debris removal and underbrush clearing permits are one time use only.
2. Apply for a permit to construct a 3 foot-wide native stone pathway to the lake (at normal pool = 909').
3. Apply for a license to place a waterline across and under Government property to the lake for the purpose of withdrawing water for private use. Water rights must be obtained from the Guadalupe Blanco River Authority before permit is applied for. All pumps and electrical components must be located off of Federal property. The use of submersible pumps for the purpose of withdrawing water for individual domestic uses at Fort Worth District Civil Works Reservoirs is prohibited. Acceptable alternative pumping options do exist. In the interest of protecting tree roots, erodible soils or scenic vistas, applications for waterlines may be modified or denied.
4. Construct a wire or metal fence to, or along, the Government boundary line.
5. Have pedestrian access to public land except those areas specifically restricted.

#### USES OF PUBLIC LAND WHICH ARE PROHIBITED

1. Any type of private exclusive use.
2. Placement of unattended personal property of any kind on public land for more than 24 hours.
3. Construct buildings, roads, improved pathway or any other facilities on public land.
4. Restricting public access either verbally, by posting signs, or by any other method.
5. Operating motorized vehicles except when operated on paved roadways and at authorized access points.
6. Dispose of any type of garbage, debris, or other refuse on public land.
7. Build fires on public land, except in authorized locations.
8. Gathering firewood.
9. Allow horses, cattle, or other livestock on public land, except by lease from the government or as otherwise permitted.
10. Destroy, alter, or remove any facility, vegetation, or natural, historical, or cultural feature. Removal of trees or shrubs to enhance one's view of the lake is illegal.
11. Use of fireworks.
12. Camping except in designated camping areas.

#### FLOWAGE EASEMENT LAND

Perpetual flowage easement estates were acquired by the Federal Government on certain private lands that adjoin public land in the Canyon Lake area. These flowage easements grant to the government full, complete, and perpetual right, power, privilege, and easement to occasionally overflow, flood, and submerge lands in connection with the operation and maintenance of the lake.

Flowage easement lands around Canyon Lake are generally defined as those private lands located below the elevation contour of 948 feet above mean sea level. However, this does not mean all property has easement or that your easement follows the contour. Often the purchase line is by metes and bounds and NOT the 948 contour. A complete review of the deed history may be necessary to determine the actual flowage easement related to your land. The deed information that created the flowage easement would be necessary to determine its exact location. This data is available in the county and federal records.

With few exceptions, a flowage easement grants the Federal government the right to prevent human habitation on the flowage easement and to prevent any activity that would limit the government's ability to periodically store flood water on the land.

In some instances, the reference to a flowage easement restriction is omitted during the preparation of new deeds during changes in property ownership. **This omission does not diminish the legality or validity of flowage easement restrictions over the property involved.**

#### ACTIVITIES ALLOWED ON FLOWAGE EASEMENT ON YOUR PROPERTY WITHOUT WRITTEN PERMISSION

1. Mowing, clearing, planting vegetation.
2. Selling or leasing the land to others, subject to all restrictions contained in the flowage easement instrument.
3. Constructing a wire, cyclone or other metal fence type to or along the Government boundary line.

#### ACTIVITIES WHICH ARE PROHIBITED ON FLOWAGE EASEMENT LAND ON YOUR PROPERTY

1. Constructing or maintaining any structure for human habitation or buildings for commercial purposes, permanent or temporary. Habitation includes any structure, permanent or temporary, any recreational unit (RV, 5<sup>th</sup> wheel, pop up, tents, etc.) or any building that has been converted in any form to be habitable.
2. Placing fill material within the easement, raising the land above the flowage easement contour, or altering the location of the flowage easement contour.
3. Placing or constructing any other structures or appurtenances to existing structures on the flowage easement land without prior written approval of the District Engineer. "Other Structures" are construed to

mean any structure of any kind including but not limited to fill material, buildings, ramps, ditches, channels, dams, dikes, wells, earthen tanks, roads, utility lines, and tramways.

#### **ACTIVITIES ON FLOWAGE EASEMENTS WHICH MAY BE AUTHORIZED BY WRITTEN PERMIT**

1. With written approval, most structures, other than a building or structure designed or intended to be used for human habitation or commercial purposes, structures that cause a loss of flood storage capacity, or structures designed to store petroleum or hazardous products, can be constructed on flowage easement land. The addition of any fill material must be mitigated with the removal of the same amount of fill material.
2. With respect to construction of water wells, sewer lines, or septic systems, each case will be examined to ensure that pollution of the lake or interference with the operation of the reservoir will not occur. All proposed sewer line and septic system installations must have prior approval of city, county or state health departments. State law requires that septic system installations must be located a minimum of 75 feet in horizontal distance up slope from the 50-year flood plain of 940' MSL contour line.

#### **RANGER RESPONSIBILITY**

Canyon Lake Park Rangers are assigned realty requests as they come to the office from around the lake. A ranger can answer questions about the lake however it is helpful if questions are addressed to the ranger responsible for your request. Please contact the office at 830-964-3341, Monday – Friday 8:00 am – 4:30 pm.

#### **PERMIT APPLICATIONS**

No work of any kind shall be started before permits are completed and signed by all parties. All requests for construction or placement of any structure or facility on flowage easement lands must include the following:

1. Application requests must be from the property owner not a contractor or realtor. A letter of application which includes the type of request, the applicant's name, address and phone number(s), the subdivision, lot and section (if applicable) and the nearest monument number (if possible). If fill material is used the total number of cubic yards must be included in the letter of application.
2. Detailed design plans of the proposed work.
3. If application is for a waterline, the type of pump, type and location of any pipe (including pipe diameter) and location of any electrical lines must be included. Property owner must also submit a current copy of the Contract for Raw Water Service between themselves and Guadalupe-Blanco River Authority.
4. A map showing the location of the proposed action and the relationship with the U.S. boundary line and flowage easement contour if applicable. For pumps and water lines the map must show the location of the proposed pump, water line and all electrical equipment, including main electrical cut-off switch, in relation to the flowage easement line and Government property line.
5. For any electrical components property owner must provide electrical certification of all components signed by a licensed electrician.
6. For structures that fall within the Comal County flood plain, be advised that U.S. Army Corps of Engineers permit is required before obtaining Flood Plan permit from Comal County.

Failure to provide all the necessary paperwork, or incorrect items, shall result in delays of processing any requests.

Please address all permit applications or other correspondence to:

LAKE MANAGER  
CANYON LAKE PROJECT OFFICE  
601 C.O.E. Rd  
Canyon Lake, TEXAS 78133

After application requests have been submitted and reviewed the Applicant will be contacted and must make an appointment with a Ranger to inspect the area of the proposed work.

We are engaged in preserving and restoring natural scenic beauty at Canyon Lake and we appreciate any effort on your part to assist in this effort on both public and flowage easement lands. Your assistance in erosion control, pollution abatement, restoring native plant communities, and related activities on adjacent land will help keep lake area clean and beautiful for all Americans to enjoy.



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To: \_\_\_\_\_

From: **Keller Williams Realty Heritage** (Broker)

Property Address: **874 Lakebreeze, Canyon Lake, Tx 78133**

Date: **February 15, 2019**

(1) Broker obtained the attached information, identified as **KNOW YOUR BOUNDARIES AT CANYON LAKE**

from **US ARMY CORPS OF ENGINEERS**

(2) Broker has relied on the attached information and does not know and has no reason to know that the information is false or inaccurate except: **NONE**

(3) **Broker does not warrant or guarantee the accuracy of the attached information. Do not rely on the attached information without verifying its accuracy.**

**Keller Williams Realty Heritage**

Broker

By: \_\_\_\_\_

**Barbara and Rex Blackburn**

Receipt of this notice is acknowledged by:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_