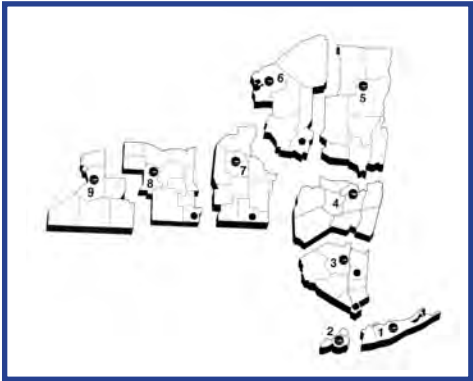


Telephone Numbers:

- Region 3 New Paltz (845) 256-3000  
White Plains (914) 428-2505
- Region 4 Schenectady (518) 357-2234
- Region 5 Raybrook (518) 897-1200
- Region 6 Watertown (315) 785-2238  
Utica (315) 793-2554
- Region 7 Syracuse (315) 426-7400  
Kirkwood (607) 775-2545
- Region 8 Avon (585) 226-2466  
Horseheads (607) 739-0809
- Region 9 Buffalo (716) 851-7070
- Central Office Albany (518) 402-8185



Additional information may be obtained at: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Guide for Use of Flood Control Project Lands



*The New York State Department of Environmental Conservation (DEC) is responsible for more than 100 flood control projects throughout the state. Most were constructed by the U.S. Army Corps of Engineers and are operated and maintained by DEC, in some cases with local municipal partners.*

New York State Department of Environmental Conservation

Flood Control Projects

Flood control projects consist of modified channels, floodwalls, levees, ponding areas and various drainage structures as needed. The nature and design of projects often require significant amounts of land. Lands in fee title and permanent easements were obtained by the state in order to construct, operate and maintain these projects. These property rights allow DEC and its agents to access project lands to perform all necessary work. Mowing, sediment removal from drainage channels and waterways, concrete repair and functional checks of equipment are examples of activities performed to ensure the ongoing structural integrity and function of earthen levees, floodwalls, drainage structures, and other protective works features.

Lawn Care/Mowing

Levees are the most common feature of flood control projects. They are constructed of well-compacted, relatively impervious materials, and are intended to prevent floodwaters from reaching protected areas. Levees are seeded with fine lawn grasses to produce a dense sod cover resistant to erosion and scour from fast-moving floodwaters.

Because sod cover protects a levee from erosion, grass length should be maintained in the range of 4 to 12 inches.

At no time should grass be mowed to a height of less than 4 inches since shorter blades do not lie down to produce a desired protective mesh effect under high water conditions. In addition, shorter grass is more susceptible to burning, blight and other diseases, especially during prolonged dry spells. Shorter grass also decreases a levee’s resistance to erosion and scouring. Erosion on either side of a levee can lead to serious problems during high water events.

DEC attempts to mow levees two or three times per year. Mowing starts in the spring once soil conditions are dry enough to allow equipment to operate on steep levee slopes. Sod damage and ruts may result when mowing equipment slides on wet levee slopes.

The last mowing typically takes place in September, allowing grass to reach a height of 8 to 12 inches before winter.

Owners or lessees of flood control lands can operate lawn maintenance equipment on those lands; however, DEC recommends that they do not mow levees. This recommendation is based on the danger of mowing steep and possibly





*Sod cover protects levees from erosion. Grass length should never be less than four inches.*

uneven slopes, as well as the possibility of improper levee maintenance. If owners or lessees wish to mow levees, they should raise mower decks to ensure at least the minimum 4-inch grass height.

### Flood Control Land Use Permits

Any activity that impairs the ability of a flood control project to function, or impedes the ability to operate and maintain it, is not allowed. In general, the following are not permitted on flood control lands: placement of sheds, fences, decks, pools, trees, tents and campfires; storage of vehicles, equipment, lawn furniture, wood and building materials.

Sod damage may result when flood control projects are exposed to use by all terrain vehicles (ATVs), motor vehicles, snowmobiles, or foot traffic. Such damage must be minimized. Therefore, most activities that take place on flood control lands are strictly regulated.

By definition (Part 501-Use of Flood Control Lands), *regulated activity* means “any change in or addition to land or any structure thereon, including but not limited to, any activity which results in destruction of trees, shrubs and other vegetation, changing any feature of the existing landscape, addition of gutters, sidewalks, driveways, parking lots or spaces, outdoor lighting, installation of utilities, or operation of a motor vehicle (vehicle operated or driven by any power other than muscular power) or snowmobile.”

[Environmental Conservation Law \(ECL\) Article 16, Section 0107.13](#), states:

“No person shall construct any improvement, excavate, deposit material or operate a motorcycle, motor-driven cycle, snowmobile or motor vehicle except lawn maintenance equipment upon lands acquired or burdened by a flood control easement without a permit.

Permits will be issued by the commissioner where the proposed activity will not interfere with or endanger the flood control works, or impede the maintenance or operation of such works.

The commissioner may adopt such rules and regulations as he may deem necessary to protect flood control works from damage which may interfere with their proper and safe operation, or impede their maintenance.”

If you live adjacent to or near flood control lands, please ensure that any planned work (construction, landscaping changes) is not performed within the state’s easements.

If you have any questions about using flood control project lands, or wish to report unauthorized activities

(construction, motor vehicle use, etc.), please contact the appropriate DEC regional office (see DEC telephone numbers in this brochure).

Operation of lawn maintenance equipment by an owner or lessee of a property does not require an Article 16 Permit; however, proper maintenance methods should be followed.

If you intend to work within the banks of any creek, you should contact the Division of Permits at the appropriate DEC regional office for help determining if any permits are needed.

*This levee in Hoosic Falls is one of the more than one hundred flood control projects managed by DEC.*

