

Drainage Way and Riparian Buffer Easements

In Pennsylvania, the property owner also owns the stream — including the land beneath the water's surface. The only exception to this is for navigable waterways, where the Commonwealth maintains both land and water rights. The term “navigable”, however, is strictly a legal term. Streams and rivers that are navigable must be declared so by law. In Butler County, only Connoquenessing Creek, Little Connoquenessing Creek, Yellow Creek, and Little Yellow Creek have been deemed navigable. In Evans City Borough, land beneath Breakneck Creek and its associated tributaries legally belongs to deeded property owners.

For Evans City Borough, restricted access to private lands makes maintaining our waterways complicated. Under Ordinance #152, Section 152-49 the Borough must make an effort to establish easements with property owners to accommodate periodic maintenance of natural drainage ways. Without legal access, public funds cannot be allocated toward either emergency flooding or periodic preventative maintenance activities on the private land of our residents.

If you own property within Evans City Borough that is adjacent to Breakneck Creek or one of the five (5) unnamed tributaries that runs perennially through the Borough, please consider contacting the Stormwater Management Committee to arrange establishing a drainage way and riparian buffer maintenance easement.

Mark Widdersheim
Evans City Borough Councilman
Stormwater Management Committee