



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
OFFICE OF THE PROJECT MANAGER
WILLAMETTE VALLEY PROJECT
LOWELL, OREGON 97452-9999

REPLY TO
ATTENTION OF:

3 April 1995

To all watercraft owners and operators using Fern Ridge Lake.

Subject: Moorage of Vessels and other Watercraft at Willamette Valley Projects.

Dear boat owner/operator,

The enclosed administrative interpretations for the moorage of vessels at the Willamette Valley Projects are provided for your information and review. In the past few years along with increasing boating activity and the growth in residential development around the lake, the practice of unauthorized moorage of watercraft and associated activities which are at times injurious to the shoreline environment has become more frequent. These interpretations of existing rules are provided to safeguard the public and protect natural resources.

The enclosed guidelines are intended to notify those using project lands and waters of the specific conditions under which watercraft may be moored temporarily as well as for indefinite periods of time. Corps of Engineers Park Rangers will be enforcing these interpretations of Title 36, Code of Federal Regulations, Part 327 during the 1995 recreation season.

Questions or comments regarding the proposed restrictions may be directed to the Fern Ridge Lake Resident Office, 26275, Clear Lake Road, Junction City, Oregon 97448; or call (503) 688-8147. Your comments and concerns will be taken into account in the preparation of the final addendum to the Fern Ridge and Dexter Shoreline Management Plans. This public comment period will run through 15 May 1995.


WADE L. STAMPE
Project Manager

**U.S. ARMY CORPS OF ENGINEERS
ADMINISTRATIVE INTERPRETATIONS FOR THE MOORAGE OF VESSELS
WILLAMETTE VALLEY PROJECTS**

Purpose

The purpose of this notice is to advise the public of the Project's interpretations of published rules regarding the circumstances under which vessels or other watercraft may be launched and moored upon project lands or waters in a manner consistent with the spirit and intent of the provisions of Title 36 Code of Federal Regulations, Part 327 (appended). These interpretations for the moorage of vessels shall serve as an addendum to the Fern Ridge Lake and Dexter Lake Shoreline Management Plans and the published Title 36 CFR, Part 327 rules.

Applicability

In addition to the provisions of Title 36 Code of Federal Regulations, Part 327, the interpretations presented herein shall be applicable to those water resources development projects located within the State of Oregon which are administered by the Project Manager, Willamette Valley Projects. These include Fern Ridge, Cottage Grove, Dorena, Dexter, Lookout Point, Fall Creek, Foster and Green Peter Lakes.

**GENERAL PROVISIONS FOR WILLAMETTE VALLEY PROJECTS
MOORAGE OF VESSELS AND OTHER WATERCRAFT**

1. Vessels and other watercraft may be moored or stored only at locations or in facilities approved for such use by the District Engineer. Approved moorage locations and facilities include;

(a) dry boat storage areas, moorage docks and/or mooring buoys managed by a public or private recreation lessee in accordance with an approved plan of operation;

(b) moorage docks and/or mooring buoys maintained by a private party in accordance with a valid Shoreline Use Permit issued by the Lake's Resource Manager.

2. Incidental to their use for recreational purposes, vessels and other watercraft which are in actual use on project waters may be anchored or beached in a manner which is safe and secure, and accomplished so as not to endanger the public or damage the rights of the Government, for periods not exceeding 24 hours. When not attended by the operator and not in actual use, vessels and other watercraft must be removed from project lands or waters or be moved to a moorage or storage site approved by the Project Manager.

4. Vessels and other watercraft temporarily moored outside of approved moorage sites must remain essentially free floating to

permit easy relocation by the owner and/or regulation enforcement personnel. Such temporarily moored watercraft may not be supported by posts, pilings or other means which bear the weight of the craft. Watercraft moored temporarily outside of approved facilities must also be attended at all times. The operator must remain in the vicinity of the craft and be reasonably available to relocate the craft if necessary.

5. Vessels and other watercraft may not be moored or stored at locations or in a manner which is injurious to vegetation along the shoreline. The removal or displacement of aquatic, emergent or upland vegetation; or the excavation of bottom sediments or soil along the shoreline to facilitate watercraft launching, access to the shoreline or temporary moorage is not permitted.

6. The number of vessels or watercraft moored at a structure approved by the District Engineer shall not exceed that number consistent with the design of the structure or stipulated in the moorage facility permit.

(a) No more than one vessel or watercraft may be attached to each authorized mooring buoy.

(b) Craft may be attached to authorized fixed or floating docks when properly secured but no more than one abreast.

7. Trailered watercraft shall be launched only at existing private, public or commercial launching facilities designed and approved for such use.

8. Vessels and other watercraft located moored or stored in violation of these interpretations will be considered to be in violation of Title 36, CFR, Part 327.3(h) and Part 327.12(a).

9. Vessels and other watercraft located, moored or stored in violation of these interpretations may be considered abandoned personal property and may be subject to impoundment and disposal by the Corps of Engineers in accordance with the provisions of Title 36 CFR, Part 327.15(b).

Clarification or explanation of these guidelines may be obtained by contacting the Project Manager, Willamette Valley Projects, Corps of Engineers, P.O. Box 429, Lowell, OR 97452.

Relevant provisions of Title 36, CFR, Part 327

Section 327.1 POLICY

Section 327.1(c) The term "Project" or "water resources development project" refers to the water areas of any water resources development project administered by the Chief of Engineers, without regard to ownership of underlying land, to all

lands owned in fee by the Federal Government and to all facilities therein or thereon of any such water resources development project.

Section 327.1(h) For the purposes of this part 327, the owner of any unattended vehicle, vessel or aircraft as described herein shall be presumed to be responsible for its use on project property. Unless proven otherwise, such presumption will be sufficient to issue a citation for the violation of regulations applicable to the use of such vehicle, vessel or aircraft as provided for in section 327.25, Violations of Rules and Regulations.

Section 327.3 VESSELS

Section 327.3(a) This section pertains to all vessels or watercraft, including, but not limited to, powerboats, cruisers, houseboats, sailboats, rowboats, canoes, kayaks, jetskis and any other such equipment capable of navigation on water, whether in motion or at rest.

Section 327.3(c) Vessels or other watercraft may be operated on the project waters, except in prohibited or restricted areas, in accordance with posted regulations, including buoys, and applicable Federal, state and local laws, as regulated by authorized enforcement officials. All vessels or watercraft so required by applicable Federal, state and local laws shall display an appropriate registration on board whenever the vessel is operated on project waters.

Section 327.3(e) All vessels, when in use shall have safety equipment, including personal flotation devices, on board in compliance with U.S. Coast Guard boating safety requirements (Coast Guard Pamphlet CG-290; 46 CFR Parts 25, 30; 33 CFR Part 175) and in compliance with boating safety laws issued and enforced by the state in which the vessel is being operated.

Section 327.3(h) All vessels when not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Engineer. The placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker or other navigational aid is prohibited.

Section 327.4 AIRCRAFT

Section 327.4(f)(3) All operations of seaplanes while upon project waters shall be in accordance with marine rules of the road for power boats or vessels and Section 327.3 Vessels.

Section 327.4(f)(4) Seaplanes on project waters and lands in excess of 24 hours shall be securely moored at mooring facilities and at locations permitted by the District Engineer. Seaplanes may be temporarily moored on project waters and lands, except in areas prohibited by the District Engineer, for periods less than 24 hours providing (i) the mooring is safe, secure, and accomplished so as not to damage the rights of the Government or members of the public

and (ii) the operator remains in the vicinity of the seaplane and reasonably available to relocate the seaplane if necessary.

Section 327.12 RESTRICTIONS

Section 327.12(a) The District Engineer may establish and post a schedule of visiting hours and or restrictions on the public use of a project or portion of a project. The District Engineer may close or restrict the use of a project or portion of a project when necessitated by reason of public health, public safety, maintenance, or other reasons in the public interest. Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions is prohibited.

Section 327.15 ABANDONMENT AND IMPOUNDMENT OF PERSONAL PROPERTY

Section 327.15(a) Personal property of any kind shall not be abandoned, stored or left unattended upon project lands or waters. After a period of 24 hours, or at any time after a posted closure hour in a public use area, unattended personal property shall be presumed to be abandoned and may be impounded and stored at a storage point designated by the District Engineer, who may assess a reasonable impoundment fee. Such fee shall be paid before the impounded property is returned to its owner.

Section 327.15(c) Personal property placed on Federal lands or waters adjacent to a private residence and/or developments of any private nature for more than 24 hours without permission of the district Engineer shall be presumed to have been abandoned and, unless proven otherwise, such presumption will be sufficient to issue a citation as provided for in Section 327.25.