

**ADDITION TO MOORAGE AGREEMENT:**

Re: Refer to agreement condition or rule number

I am aware of Parts 327.3(f) and 327.22 of title 36, Chapter III, Part 327 – Rules and regulations governing public use of U.S. Army Corps of Engineers Water Resources Development Project which prohibit overnight occupancy of vessels or other watercraft on the lake except when such use is incidental to recreational boating, and prohibit occupancy of any lands, buildings, vessels, or other facilities at such projects for the purpose of maintaining same as a full or part-time residence.

I fully understand and agree that neither I, nor my family or guest will live aboard my vessel or other watercraft. I further understand that overnight occupancy of my vessel or other watercraft be me, my family or guest, for periods in excess of thirty (30) days in any sixty (60) consecutive day period, without prior written approval, will be considered as residential use in violation of this regulation, and will be cause for revocation of my tenant agreement.

In addition, I understand that if I have a need, under unusual circumstances, for occupancy of my vessel or other watercraft beyond the thirty-in-sixty-day limitation, I must submit a request for a short-term extension, with justification, to the management to be forwarded to the U.S. Army Corps of Engineers for consideration, if the management agrees that an extension is warranted. I further understand that any approval of an extension by the Corps will not constitute a waiver of the occupancy time limitation or the requirement for prior approval of any future extension.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Street Address of Residence:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Residence Phone #:

\_\_\_\_\_

The Title 36 regulation, which governs public use of water resource development projects administered by the U.S. Army Corps of Engineers, contains two sections, which address residential occupancy of project land and water areas. They are as follows:

### 327.3 Vessels.

(f) Unless otherwise permitted by Federal, State or Local Law, vessels or other watercraft, while moored in commercial facilities, community, or corporate docks, or at any fixed or permanent mooring point, may only be used for overnight occupancy when such use is incidental to recreational boating. Vessels or other watercraft are not to be used as a place of habitation or residence.

### 327.22 Unauthorized occupation.

(a) Occupying any lands, buildings, vessels or other facilities within water resource development projects for the purpose of maintaining same as a full or part-time residence without the written permission of the District Engineer is prohibited. The provisions of this section shall not apply to the occupation of lands for camping, in accordance with the provisions of Section 327.7.

Both sections are clear that residency on project lands and waters is prohibited without written permission from the District Engineer (or authorized representative). Corps of Engineers management policy allows the granting of permission for on-site residency only for marina or club managers and employees, and only to the extent necessary for security purposes. You should make clear to your tenants that the rental of a dock slip or cabin space does not carry with it the privilege of residency in the leased area, and that permission for such use will not be granted.

A recent change in Corps policy allows camping on leased properties for up to thirty (30) days in any sixty (60) consecutive-day period. Since the term "part-time", residency is not defined in Section 327-22 (a) cited above; we consider the camping policy to be a reasonable interpretation of the limits of occupancy allowable without being in violation of the part-time residency prohibition. Recognizing that there may be times when short-term extensions may be requested and reasonable, requests may be sent to the Project Manager's office for consideration on a case-by-case basis.