

**BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA**

IN THE MATTER OF:)	
)	
PETITION FOR RATE INCREASE BY LAKE MONROE SAILING ASSOCIATION)	ADMINISTRATIVE CAUSE NUMBER: 19-158P
)	

**FINDINGS AND RECOMMENDATIONS TO THE U.S. ARMY CORPS OF
ENGINEERS
BY THE NATURAL RESOURCES COMMISSION**

A. Findings

1. The scope of the informal review accorded by the Natural Resources Commission (the “*Commission*”) in Information Bulletin #20 (Fifth Amendment) (*IB #20*) is addressed to petitions for fee increase or fee establishment at marinas and related facilities on properties owned or leased by the Department of Natural Resources (the “*Department*”).
2. Although the Department may appropriately exercise whatever rights are provided in a ground lease with respect to marina facilities, as well as any other rights provided by law or equity, the scope of review provided in *IB #20* is limited to the subject of the petition for fee increase. The Commission ultimately recommends action on the petition to the U. S. Army Corps of Engineers (“*Corps*”), and the Corps may either accept or reject the recommendation.
3. For requests for fee increase, the Hearing Officer shall make a written report to the Commission. The report shall include written findings with respect to the requested fee increase and a proposal to the Commission for recommendations to the Corps in determining Lake Monroe Sailing Association’s (LMSA) request.
4. LMSA, in its Petition, requests across-the-board increases of approximately 10% for customers who rent slips at LMSA. For customers who do not rent slips at LMSA, the Petition seeks to restructure the fees for trailer/cradle storage, board boat storage and for winter storage through an increase ranging from 111% to 194%.
5. In determining whether to recommend a fee increase be granted, the Department is to analyze similar facilities and compare fees with those sought by the Petitioner. The consideration of fees charged by comparable marinas is fundamental to determining the propriety of proposed fee increases. The preponderance of information in the record indicates that the increased fees proposed by LMSA will remain consistently below the fees charged by comparable marinas.

6. A Hearing Officer's or the Commission's recommendation for fee increase shall not be withheld unless the fees proposed exceed the fair market rates charged by operators of other similar privately-owned resort developments comparable to the project in the area.
7. The Commission exercises its authority to recommend approval of the fee increases as requested by LMSA.
8. The requested fee increases, are within the industry range and supportable. The rates approved by the Commission are set forth in the attached table, which includes all rates previously established as well as the rates recommended for approval through this action. Rates established through previous Commission recommendations are so noted.

B. Recommendation

The Natural Resources Commission recommends to the U.S. Army Corps of Engineers the fees as set forth in the attached table be approved for existing facilities at LMSA.

Dated: 7/21/20



Bryan Poynter, Chair
Natural Resources Commission

Commission Slip Rate Recommendation

LAKE MONROE SAILING ASSOCIATION	
Slip Rental and Fees for Boaters with Boat on a Dock, Mooring or in Dry Storage	
	Proposed 2021 Fees
<u>A- Dock</u>	
24 x 12	\$1,555.00
26 x 12	\$1,685.00
30 x 14	\$1,800.00
32 x 14	\$1,925.00
34 x 14	\$2,050.00
<u>B, C, and D Docks</u>	
22 x 12	\$1,260.00
24 x 12	\$1,320.00
26 x 12	\$1,685.00
<u>Buoy</u>	
Standard (single anchor)	\$930.00
Heavy Duty (double anchor)	\$1,040.00
Facility Use	\$100.00
Board Boat Storage	\$200.00
<u>Dry Storage</u>	
20' or less	\$380.00
Over 20' less than 26'	\$500.00
26' or greater	\$585.00
Trailer/Cradle Parking	\$95.00
<u>Winter Storage Fees</u>	
Trailer/Cradle	\$85.00
20' or less	\$115.00
over 20' less then 26'	\$165.00
over 26' less than 30'	\$200.00
over 30' less than 34'	\$210.00
over 34'	\$220.00

LAKE MONROE SAILING ASSOCIATION	
Fees for Boaters without Boat on a Dock, Mooring or in Dry Storage	
	Proposed 2021 Fees
Board Boat Storage	\$200.00
Trailer/Cradle Parking	\$250.00
<u>Winter Storage Fees</u>	
Trailer/Cradle	\$200.00
20' or less	\$270.00
over 20' less than 26'	\$350.00
over 26' less than 30'	\$400.00
over 30' less than 34'	\$425.00
over 34'	\$445.00



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059

August 26, 2020

Real Estate Division
Civil & Support Branch

Indiana Department of Natural Resources
Attn: Bryan Poynter, Chair
402 West Washington Street, Room W298
Indianapolis, Indiana 46204

Dear Mr. Poynter:

We have received and considered the Natural Resources Commission's findings and recommendations for slip rentals at Fourwinds Resort and Marina, Lake Monroe Sailing Association and Two Herons (formerly Lake Monroe Marina), (Department of the Army Lease DACW27-1-68-2174, Monroe Lake Project, Indiana) that your office sent on July 22, 2020. We approve of the rate increase.

If you have any questions regarding this letter you may contact Audrey Steier via email at Audrey.L.Steier@usace.army.mil or by phone at (502) 315-6970.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason E. Meyer", written over a light gray rectangular background.

Jason E. Meyer
Chief, Civil and Support Branch