



2017 FEE REVIEW WORKSHOP

- **SENATE BILL NO. 512, CHAPTER 366, 79TH SESSION 2017, REQUIRES THE STATE LAND REGISTRAR TO ESTABLISH CERTAIN FEES BY REGULATION FOR THE USE OF STATE LANDS; REVISING PROVISIONS RELATING TO THE ACCOUNTING AND USE OF THE PROCEEDS OF CERTAIN FEES FOR THE USE OF STATE LANDS.**



Division of State Lands

- Nevada became a State in 1864, at that time, the Federal Government's title for the lands over, upon or beneath navigable waters passed to the State.
- The State holds title in trust for the people of Nevada in order that they may enjoy the navigation on the waters, carry on commerce over them, and have the liberty to fish and enjoy other recreational activities.
- These principles need to be considered while processing navigable water applications for permits and integrating littoral owners desire to wharf out over public lands.

PIER AND BUOY APPLICATIONS AND ANNUAL PERMIT FEES BACKGROUND

- Occupancy of the bed and banks of sovereign land requires a permit or other authorization from the Nevada Division of State Lands (NDSL) for piers, buoys, and other recreational use structures or commercial uses such as Crayfish harvesting.
- Application fees and annual use fees are set in statute (NRS 322) and have not changed since 1993.
- These fees are well below current market value.
- Senate Bill 512 was passed during the 2017 79th session. Chapter 366 authorizes the State Land Registrar to establish certain fees by regulation for the use of state lands.



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PERMIT APPLICATIONS

- NDSL processes an average of 100 navigable water permits annually.
- The approximate cost to the agency to process a complete application is \$1,500 - \$1,750.
- Currently, NDSL collects \$100 for private use applications and \$200 for commercial use applications.



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APPLICATION FEE COMPARISON AND PROPOSAL

NEVADA CURRENT FEE	CALIFORNIA	TRPA	WESTERN STATES AVERAGE	NEVADA (PROPOSED)
\$100 residential/ \$200 commercial	\$25 + \$1,200 initial deposit to cover processing costs	\$588	\$300 AZ, OR, ID, UT and WA	\$250 \$500



DEPARTMENT OF
**CONSERVATION &
NATURAL RESOURCES**



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LIFE OF A PERMIT

Application received by Administrative staff.



Supervisor reviews and assigns the project to staff.



Staff processes the application, including preparing the review and comment memo.



Application reviewed by other state/federal agencies and adjacent property owners, 30 day time frame.

Adverse comments from neighbors or other government agencies may result in the application being withdrawn or denied.



Permit drafted and circulated for final review signature.



Internal files organized, structures mapped and maintained in GIS, annual billing set up, Permit issued.



If no adverse comments are received or if comments that were received have been resolved, Staff requests insurance and necessary fees to move forward.





PIER AND BUOY ANNUAL USE FEE ANALYSIS

- Per statute, (1993) NDSL collects \$30 annually for private buoys and \$50 annually for private piers.
- Per statute, (1993) NDSL collects \$100 annually for commercial buoys and \$125 annually for commercial piers.
- Navigable water fees total approximately \$65,000 for the General Fund on an annual basis.
- The current fee structure does not reflect current fair market value of the use of State sovereign land nor provide cost recovery for agency processing costs.



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MARKET VALUE ANALYSIS

- Multiple methods were used to estimate the fair market value of the land associated with a pier and buoy.
- These methods arrived at a fee range between \$2,000 to \$3,000 annually for piers and \$250 to \$2,940 for buoys depending on private or commercial uses.
- Recognizing that an increase to even the lower end of the fair market value is a significant increase, NDSL proposes the following fee range to be considered:
 - \$1,000 annually for residential piers.
 - \$2,000 annually for commercial piers.
 - \$300 annually for residential buoys.
 - \$500 annually for commercial buoys.



PROPOSED FEE SCHEDULE

- BUOY COMMERCIAL \$500.00
- BUOY PRIVATE \$300.00
- PIER COMMERCIAL \$2,000.00
- PIER PRIVATE \$1,000.00



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SUMMARY

- The proposed annual use fee adjustments are less than the average western states fees and less than the fair market value determinations.
- The proposed revenue distribution keeps the agency's general fund contribution "whole."
- NDSL is holding FOUR (4) workshops so that NDSL may solicit public comments. **This presentation can be found on NDSL website: Lands.nv.gov**
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