

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

IN THE MATTER OF:)	
)	
PETITION FOR RATE INCREASE BY KENT'S HARBOR)	ADMINISTRATIVE CAUSE NUMBER: 22-SP-037
)	

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

A. Findings

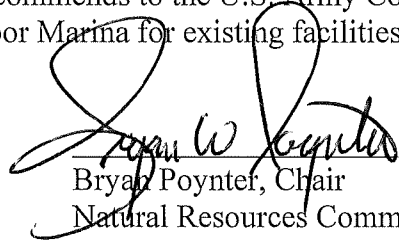
1. The scope of the informal review by the Natural Resources Commission (the "*Commission*") in Information Bulletin #20 (Fifth Amendment) (*IB #20*) is addressed to petitions requesting a rate increase or rate establishment at marinas and related facilities on properties owned or leased by the Department 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 rate increase or rate establishment. The Commission ultimately recommends action on the petition by the U. S. Army Corps of Engineers ("*Corps*"), and the Corps may either accept or reject the recommendation.
3. Kent's Harbor, in his Petition, requests slip rate increases from 3% to 5%, with an average of 4.81% and lodging requests reflects 5.3% to 6.7%. No comments or requests for a public hearing were received.
4. In determining whether a recommended rate increase be granted the Department is to analyze similar facilities and compare rates with those sought by the Petitioner. The consideration of rates charged by comparable marinas is fundamental to determining the propriety of proposed rate increases to marina slips and mooring buoys. The preponderance of information in the record indicates that the rate increases proposed by Kent's Harbor are within the range of lodging and boat slip rental rates for comparable facilities.
5. A Hearing Officer's or the Commission's recommendation for rate increase shall not be withheld unless the rates proposed exceed the fair market rates charged by operators of other similar privately-owned resort developments comparable to the project in the area.

6. Further, the Commission exercises the authority to recommend approval of the rate increases as requested by Kent's Harbor.
7. The requested rate 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.

B. Recommendation

The Natural Resources Commission recommends to the U.S. Army Corps of Engineers that the rate increase sought by the Kent's Harbor Marina for existing facilities be approved as requested.

Dated: 5/16/2023



Bryan Poynter, Chair
Natural Resources Commission

Commission Slip Rate Recommendation

COMPREHENSIVE RATE LIST		
KENT'S HARBOR MARINA SLIP SIZE & DESCRIPTION	CURRENT RATE	COMMISSION RATE RECOMMENDATION for IMPLEMENTATION JANUARY 1, 2024
<u>B through G - Docks</u>		
20'	\$1,800.00	\$1,870.00
26'	\$2,485.00	\$2,610.00
30'	\$2,835.00	\$2,980.00
36'	\$3,250.00	\$3,415.00
40'	\$3,625.00	\$3,810.00
50'	\$4,160.00	\$4,370.00
Over 50' (Per Ft.)	\$87.00	\$91.50
<u>H - Dock</u>		
24'	\$1,950.00	\$2,045.00
18' x 60'	\$4,985.00	\$5,244.00
Over 60' (Per Ft.)	\$87.00	\$91.50
<u>A - Dock</u>		
24'	\$2,120.00	\$2,225.00
28'	\$2,585.00	\$2,715.00
13' x 24'	\$2,525.00	\$2,650.00
13' x 28'	\$2,915.00	\$3,060.00
14' x 30'	\$3,230.00	\$3,390.00
15' x 36'	\$3,655.00	\$3,840.00
15' x 38'	\$3,860.00	\$4,050.00
16' x 36'	\$3,910.00	\$4,105.00
18' x 46'	\$4,845.00	\$5,090.00
20' x 70'	\$7,585.00	\$7,955.00
Over 70' (Per Ft.)	\$106.00	\$111.00
<u>I - J Dock</u>		
24'	\$2,245.00	\$2,315.00
26'	\$2,565.00	\$2,640.00
28'	\$2,815.00	\$2,900.00

TRANSIENT OVERNIGHT BOAT SLIPS		
Up to 28' per night (non-powered)	\$47.90	\$50.30
Up to 28' per night (w/ electricity)	\$58.00	\$61.00
OVERNIGHT LODGING GUEST BOAT SLIPS		
Up to two nights (non-powered)	\$31.60	\$33.00
after two nights at above rate (non-powered)	\$16.30	\$17.30
Up to two nights (w/ electricity)	\$37.70	\$39.60
after two nights at above rate (w/ electricity)	\$17.30	\$18.20
LODGING		
Studio Unit	\$275.00	\$290.00
One Bedroom Unit	\$320.00	\$340.00
Two Bedroom Unit	\$475.00	\$499.00
SIX-BEDROOM COTTAGE		
Four Bedroom (up to 8 guests)	\$1,265.00	\$1,350.00
Each addl. guest	\$26.00	\$28.00
Lower floor hotel rooms	\$265.00	\$280.00
Six Bedroom Full Building (up to 12 guests)	\$1,795.00	\$1,895.00



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOUISVILLE DISTRICT
600 DR. MARTIN LUTHER KING JR PL
LOUISVILLE, KY 40202

May 24, 2023

Real Estate Division
Civil & Support Branch

Natural Resources Commission
Attn: Bryan Poynter, Chair
100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204-2200

Dear Mr. Poynter:

We have received and considered the Natural Resources Commission's findings and recommendations for slip and lodging rentals at Kent's Harbor (Department of the Army Lease DACW27-1-74-077, Brookville Lake Project, Indiana) that you signed on May 16, 2023. We approve of the rate increase.

If you have any questions regarding this letter you may contact Kim Jones via email at kimberly.s.jones@usace.army.mil or by phone at (502) 315-6988.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. E. Meyer".

Jason E. Meyer
Chief, Civil and Support Branch