

### Summary of Recommended Fee Rule Change

	Single-family dock	Two-family dock	Water intake line	Assignment
Current fee	\$300	\$300	\$300	\$150
Cost to process	\$423 <sup>a</sup>	\$423 <sup>a</sup>	\$423 <sup>a</sup>	\$275 <sup>b</sup>
Statutory max	\$500	\$500	\$3,500	N/A
Recommended fee	\$425	\$425	\$425	\$300

- a. See *Cost of Processing an Application for a Single-Family Dock, Two-Family Dock, or Water Intake Line* (below) for an itemized description of the cost.
- b. See *Cost of Processing an Application for an Encroachment Permit Assignment* on page 2 for an itemized description of the cost.

### History of Encroachment Permit Fees in Idaho

	Single-family dock	Two-family dock	Water intake line	Assignment
1975 – 1990	\$0	\$0	\$25	N/A
1990 – 2008	\$50	\$50	\$250	N/A
2008 – 2011	\$250	\$250	\$1,000	\$150
2011 – Present	\$300	\$300	\$300	\$150

### Cost of Processing an Application for a Single-Family Dock, Two-Family Dock, or Water Intake Line

<i>Steps to Process the Application</i>	<i>Position</i>	<i>Hourly Cost<sup>a</sup></i>	<i>Time (hours)</i>	<i>Cost</i>
1. Pre-application assistance	Resource Spec	\$31.11	0.58	\$18.04
2. Receive application	Admin Asst. 1	\$21.91	0.42	\$9.20
3. Process payment	Financial Tech	\$27.06	0.25	\$6.77
4. Review application	Resource Spec	\$31.11	1.83	\$56.93
5. Enter application information into system	Resource Spec	\$31.11	1.08	\$33.60
6. Send notice of application to neighbors	Resource Spec	\$31.11	0.58	\$18.04
7. Process neighbor comments	Resource Spec	\$31.11	2.67	\$83.06
8. Update permit information into system	Resource Spec	\$31.11	0.42	\$13.07
9. Issue permit	Resource Spec	\$31.11	0.58	\$18.04
10. Inspect	Resource Spec	\$31.11	2.00	\$62.22
11. Review work completion report	Resource Spec	\$31.11	0.58	\$18.04
Subtotal			10.99	\$337.01
Prorated cost of administrative hearing <sup>b</sup>	Various	Various	1.22	\$86.27
<b>Total Processing Time and Cost:</b>			<b>12.21 hours</b>	<b>\$423.28</b>

- a. Hourly cost is the weighted employee cost (salary + benefits), and does not include overhead expenses, such as office, utilities, supplies, or support staff time.
- b. The average cost of a hearing is estimated to be \$6,453.19 made up by 91.83 staff hours. On average, IDL processes 187 applications and holds 2.5 hearings per year for these types of applications. Distributing the annual cost of hearings across the number of applications per year yields 1.22 hours per application equaling \$86.27.

**Cost of Processing an Application  
for an Encroachment Permit Assignment**

<i>Steps to Process the Application</i>	<i>Position</i>	<i>Hourly Cost<sup>a</sup></i>	<i>Time (hours)</i>	<i>Cost</i>
1. Pre-application assistance	Resource Spec	\$31.11	0.58	\$18.04
2. Receive application	Admin Asst. 1	\$21.91	0.42	\$9.20
3. Process payment	Financial Tech	\$27.06	0.25	\$6.77
4. Review application	Resource Spec	\$31.11	1.83	\$56.93
5. Enter application information into system	Resource Spec	\$31.11	1.16	\$36.09
6. Conduct inspection	Resource Spec	\$31.11	1.33	\$41.38
7. Complete follow up work from inspection	Resource Spec	\$31.11	2.00	\$62.22
8. Update permit information into system	Resource Spec	\$31.11	0.83	\$25.82
9. Issue assignment	Resource Spec	\$31.11	0.58	\$18.04
<b>Total Processing Time and Cost:</b>			<b>8.98 hours</b>	<b>\$274.49</b>

- a. Hourly cost is the weighted employee cost (salary + benefits), and does not include overhead expenses, such as office, utilities, supplies, or support staff time.

**IDAPA 20.03.04.025.02 and 03**

IDL is looking at changing the rules to clarify language in I.C. § 58-1305(b). The table below dissects the language from I.C. § 58-1305(b) and IDAPA 20.03.04.025.02 into parts to highlight the difference in language and the reason behind this potential rule change.

I.C. § 58-1305(b)	IDAPA 20.03.04.025.02
<p>If the plans of the proposed encroachment indicate such infringement will or may occur, the board shall require that the applicant secure the consent of such adjacent owner</p>	<p>If a proposed encroachment referred to in Subsection 025.01 may infringe upon the littoral right lines of an adjacent littoral owner, the department shall require the applicant to secure the written consent of the adjacent littoral owner.</p>
<p>or that he [the adjacent littoral owner] be given notice of the application by personal service or by certified or registered mail, return receipt requested, directed to him at his usual place of address, which, if not otherwise known, shall be the address shown on the records of the county treasurer or assessor, and such adjacent owner shall have ten (10) days from the date of personal service or receipt of certified or registered mail to file objection with the board...</p>	<p align="center">?</p>

**One solution:** Applicants will always be encouraged to reach out to their neighbors to discuss their plans and obtain written consent from their neighbors before applying for an encroachment permit. However, if IDL receives an application without written consent from the adjacent littoral owners, then IDL will provide notice of the application to the adjacent littoral owners. If the encroachment is located within 10 feet of the littoral right line, IDL will mail the notice by certified or registered mail, return receipt requested; otherwise, IDL will mail the notice by regular mail.

**IDAPA 20.03.04.025.02 and 03 Processing of Applications for Single-Family and Two-Family Navigational Encroachments Within Line of Navigability**

~~02. Adjacent Littoral Owners. If a proposed encroachment referred to in Subsection 025.01 may infringe upon the littoral right lines of an adjacent littoral owner, the department shall require the applicant to secure the written consent of the adjacent littoral owner. (4-2-08)~~

**03. Notification of Adjacent Littoral Owners.** ~~If the signature of the adjacent littoral owner is not required, the~~ **The Department shall will** provide a copy of ~~such the~~ application to the littoral owners immediately adjacent to the applicant's property. If the applicant owns one (1) or more adjacent lots, the department **shall will** notify the owner of the next adjacent lot. **If the proposed encroachment may infringe upon the littoral rights of an adjacent owner, the department will provide notice of the application by certified mail, return receipt requested; otherwise, This the notification notice will be sent by regular mail. Notification will be mailed** to the adjacent littoral owners' usual place of address, which, if not known, **shall will** be the address shown on the records of the county treasurer or assessor. The applicant may submit the adjacent littoral owners' signatures ~~as concurring with the application, consenting to the proposed encroachment,~~ in lieu of the department's notification. (4-2-08)

