

LAKE WORTH DRAINAGE DISTRICT OPERATING POLICIES

Chapter 2: Fees

2.1 FEE GUIDANCE

The required permit application fees for a project seeking a Right-of-Way Permit are to be submitted with the permit application package. The permit application will not be processed, distributed or reviewed until the required permit application fees are received by LWDD. A Right-of-Way Permit will not be issued by LWDD until all permit application requirements, including all review comments, are addressed to LWDD's satisfaction and the required one-time right-of-way usage or occupancy fees are received by LWDD.

For projects that require multiple Right-of-Way Permit types (e.g. Bridge, Drainage Outfall Connection, Sign, etc.), the Applicant can submit one application indicating each permit type being applied for. The application must include all fees based upon each Right-of-Way Permit type requested. Each permit application submittal must include a fee calculation sheet showing an itemization of the different fees paid pursuant to the individual fees shown in this fee schedule.

Upon submittal, applications will be reviewed to determine if appropriate fees were submitted. Applicants will be invoiced for any additional or unpaid fees due. Applications will not be reviewed, and permits will not be issued until all applicable fees are received by LWDD.

All application fees are non-refundable. In the event a permit application is denied, any usage fees paid will be refunded.

The LWDD may record a Notice of Permit with the Palm Beach County Clerk of Court for certain types of permits. In addition to application and usage fees, recording fees based upon current fees charged by the Palm Beach County Clerk of Court will be assessed and collected prior to permit issuance.

Permit fees will be doubled if improvements are constructed or installed without a permit or backfilled without inspection.

Some examples showing fee calculations for several different types of projects have been provided in Section 2.5 – Fee Calculation Examples.

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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
Access Gates [REF: CHAPTER 3, SECTION 3.7]	\$ 610.00 each	Not Applicable

Access gates must be fabricated and installed according to LWDD approved plans and specifications.

If the applicant requests, LWDD will supply the access gate and bollards, with the following fees to be assessed:

Access Gate (including bollards) \$ 2125.00 each

The fees shown above for LWDD to supply the access gate and bollards includes all fees for LWDD to fabricate, deliver to the job site, and install the access gate and bollards as permitted. LWDD will not fabricate, deliver to the job site, or install any chain link fence material, even if permitted.

Bridges [REF: CHAPTER 3, SECTION 3.1]	\$ 0.25 per S.F. of bridge surface (min. \$ 300.00)	\$ 0.40 per S.F. of bridge surface (min. \$ 450.00)
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Bridge surface includes the entire length of the bridge (including the length of approach slabs) multiplied by the entire bridge width.

Bulkheads [RE: CHAPTER 3, SECTION 3.6]	\$ 10.00 per L.F. of bulkhead within canal right-of-way (min. \$ 500.00)	\$ 15.00 per L.F. of bulkhead within canal right-of-way (min. \$ 750.00)
Canal Rehabilitation [REF: CHAPTER 3, SECTION 3.5]	\$ 20.00 per L.F. of canal frontage (min. \$ 4000.00)	Not Applicable

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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
Culvert Crossings [REF: CHAPTER 3, SECTION 3.4]	\$ 9.00 per L.F. of culvert within canal right-of-way (min. \$ 300.00)	\$ 14.00 per L.F. of culvert within canal right-of-way (min. \$ 450.00)

Culverts 200 feet or longer (as measured along the channel) are considered to be piping of a LWDD canal and will require Board approval (see Section 3.9).
[REF: CHAPTER 3, SECTION 3.4]

Docks, Davits and Boat Lifts
[RE: CHAPTER 3, SECTION 3.6]

Docks	\$ 2.00 per S.F. of dock surface within canal right-of-way (min. \$ 300.00)	\$ 5.00 per S.F. of dock surface within canal right-of-way (min. \$ 450.00)
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Dock permit application fees and one-time right-of-way usage or occupancy fees include fees to permit required erosion control such as a bulkhead or rock rubble riprap.

Davits	\$ 300.00 per davit lift arm within canal right-of-way	\$ 450.00 per davit lift arm within canal right-of-way
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Davit permit application fees and one-time right-of-way usage or occupancy fees include fees to permit required erosion control such as a bulkhead or rock rubble riprap.

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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
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**Docks, Davits and Boat Lifts
[RE: CHAPTER 3, SECTION 3.6] (CONTINUED)**

Boat Lifts	\$ 2.00 per S.F. of boat lift platform horizontal area within canal right-of-way (min. \$ 300.00)	\$ 5.00 per S.F. of boat lift platform horizontal area within canal right-of-way (min. \$ 450.00)
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Boat lift permit application fees and one-time right-of-way usage or occupancy fees include fees to permit required erosion control such as a bulkhead or rock rubble riprap.

Drainage Outfall Connections [REF: CHAPTER 3, SECTION 3.5]	\$ 500.00 per application	\$ 750.00 each
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A drainage outfall connection is defined as that facility conveying stormwater from the internal stormwater management system to the LWDD canal beginning at and including the internal stormwater management system's discharge control structure and ending at the outfall within LWDD right-of-way. The drainage outfall connection facility includes but may not be limited to stormwater discharge control structures, swales, ditches, pipes, manholes, catchbasins, endwalls, canal berms, canal channel side slopes, and revetment for channel side slope stabilization.

Irrigation Connection Permits (ICP) [REF: CHAPTER 3, SECTION 3.8]	\$ 6.50 per L.F. of irrigation connection pipe and intake equipment within canal right-of-way (min. \$ 300.00)	\$ 10.00 per L.F. of irrigation connection pipe and intake equipment within canal right-of-way (min. \$ 450.00)
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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
Monitoring Well [REF: CHAPTER 3, SECTION 3.12]	\$ 580.00 each	\$ 870.00 each (Not Applicable for U.S.G.S. Wells)
Piping [REF: CHAPTER 3, SECTION 3.9]	\$ 9.00 per L.F. of piping (min. \$1,800.00)	\$ 20.00 per L.F. of piping (min. \$4,000.00)

LWDD will not consider approval to pipe a canal unless the applicant demonstrates a substantial hardship and provides reasonable assurances that drainage works and maintenance functions will not be harmed. All requests to pipe a LWDD canal require approval by the Board of Supervisors.

Any pipe (culvert) 200 L.F. or longer installed parallel to, and within the channel of a LWDD canal shall pay an annual re-occurring right-of-way usage, or occupancy, fee of \$4.00 per L.F. for piping the LWDD canal channel. This annual re-occurring right-of-way usage, or occupancy, fee will be adjusted every five (5) years in accordance with the compounded Consumer Price Index (CPI).

Any pipe less than 200 L.F. is considered a culvert crossing and will be subject to the appropriate culvert crossing fees.

Signs [REF: CHAPTER 3, SECTION 3.10]	\$ 610.00 each	\$ 915.00 each
Use of Right-of-Way as Temporary Access [REF: CHAPTER 4, SECTION 4.8]	\$ 670.00 each	Not Applicable

Requests for an extension of temporary access will be considered a permit extension and permittees will be charged accordingly. (See Section 2.3 - General Permit Fees.)

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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
<p>Utility Lines Running Parallel To Canal Channel (Including Reclaimed (Re-Use) Water Lines) [REF: CHAPTER 3, SECTION 3.11]</p>	<p>\$ 2.00 per L.F. of utility line within canal right-of-way (min. \$ 300.00)</p>	<p>\$20.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)</p>

With the exception of reclaimed (re-use) water lines, each utility line installed within canal right-of-way and running parallel to the canal channel shall pay an annual re-occurring right-of-way usage, or occupancy, fee of \$4.00 per L.F. for the portion of the utility line is running parallel within the LWDD canal right-of-way. This annual re-occurring right-of-way usage, or occupancy, fee will be adjusted every five (5) years in accordance with the compounded Consumer Price Index (CPI).

Two (2) utility lines running parallel, within the canal right-of-way, ten feet or less apart and constructed at the same time, will be considered as one line.

**Utility Lines Running (Crossing)
Perpendicular
To Canal Channel**
[REF: CHAPTER 3, SECTION 3.11]

<p>Aerial Crossing (Pile Supported)</p>	<p>\$ 16.00 per L.F. of utility line within canal right-of-way (min. \$ 300.00)</p>	<p>\$ 24.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)</p>
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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
Utility Lines Running (Crossing) Perpendicular To Canal Channel (Continued) [REF: CHAPTER 3, SECTION 3.11]		
Attached-to-Bridge Crossing	\$ 8.50 per L.F. of utility line within canal right-of-way (min. \$ 300.00)	\$ 13.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)
Pole-to-Pole Crossing	\$ 8.00 per L.F. of utility line within canal right-of-way (min. \$ 300.00)	\$ 12.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)
Subaqueous Crossing (Directional Bore Or Jack and Bore)	\$ 8.50 per L.F. of utility line within canal right-of-way (min. \$ 300.00)	\$ 13.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)
Subaqueous Crossing - Open Channel (Dry Installation - Buried Under Bottom Of Canal Channel)	\$ 13.50 per L.F. of utility line within canal right-of-way (min. \$ 300.00)	\$ 21.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)

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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Right-of-Way Permit Types</u>	<u>Permit Application Fee</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>
Underground Crossing (Under or Over Existing Culvert)	\$ 8.00 per L.F. of utility line within canal right-of-way (min. \$ 300.00)	\$ 12.00 per L.F. of utility line within canal right-of-way (min. \$ 450.00)
Utility Pole or Mastarm Installation [REF: CHAPTER 3, SECTION 3.11]	\$ 710.00 each pole or mastarm within canal right-of-way	\$ 1065.00 each pole or mastarm within canal right-of-way
All Other Right-of-Way Authorizations (Requests for all other right-of-way uses require Board approval)		

LWDD does not permit right-of-way uses not listed in the fee schedule shown in this Operating Policies manual (e.g. parallel fences, structures, landscaping, bike paths). Applicants requesting an alternative use or a use of the right-of-way other than the uses established in this Operating Policies manual (variance) must submit an application, with applicable application fees, for staff review and consideration by the Board of Supervisors. Applicants must demonstrate a substantial hardship or a public purpose and must provide assurances that drainage works and maintenance functions will not be harmed. If approved by the Board of Supervisors, applicable permit and right-of-way usage (one-time and/or annual) fees will be applied and must be submitted prior to permit issuance. Application fees are non-refundable.

**LAKE WORTH DRAINAGE DISTRICT
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2.2 RIGHT-OF-WAY PERMIT FEE SCHEDULE (CONTINUED)

<u>Permit Application Fee*</u>	<u>One-Time Right-of-Way Usage or Occupancy Fee</u>	<u>Annual Re-Occurring Right-of-Way Usage or Occupancy Fee**</u>
Linear Uses \$ 500.00 each	Linear Uses \$ 20.00 per L.F. (min. \$ 1500.00)	Linear Uses \$ 4.00 per L.F. (min. \$ 500.00)
Area Uses \$ 500.00 each	Area Uses \$ 5.00 per S.F. (min. \$ 1500.00)	Area Uses \$ 0.10 per S.F. (min. \$ 500.00)

* This \$500.00 permit application fee is non-refundable and is required to request approval from the LWDD Board of Supervisors (Board) for uses of the right-of-way other than the uses established in this Operating Policies manual.

** Each of these other right-of-way authorizations approved shall pay the annual re-occurring right-of-way usage, or occupancy, fee shown above for that portion of the LWDD canal right-of-way being used or occupied. This annual re-occurring right-of-way usage, or occupancy, fee will be adjusted every five (5) years in accordance with the compounded Consumer Price Index (CPI).

In lieu of payment of the one-time right-of-way usage or occupancy fee, mitigation may be considered. The Applicant must demonstrate this mitigation to benefit the mission of LWDD.

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2.3 GENERAL PERMIT FEES

Permit fees will be doubled if improvements are constructed or installed without a permit or backfilled without inspection.

Minor Permit Modification(s) \$300.00

Minor modifications and/or revisions made may be requested by the Applicant after the issuance of a Permit. Major modifications and/or revisions will be considered new permit applications and will be subject to the current fee schedule.

Permit Transfer - Ownership \$300.00

Requests for permit transfer for change of property ownership or to transfer operation/management responsibilities must be submitted within 90 days of purchase of property by new owner or assumption of operation/management responsibilities to a new entity. A new application and applicable permit fees will be required beyond this timeframe.

Conversion and Permit Transfer of Permit – Construction Phase to Operation Phase \$300.00

Requests for permit conversion and transfer from construction phase to operation phase must be submitted within 90 days after LWDD has issued a Final Acceptance to the current property owner.

Permit Extension \$300.00

Requests to extend a permit must be submitted prior to permit expiration; otherwise, permittee may be required to submit a new permit application subject to applicable permit fees.

Administrative Processing Fees

Permits requiring additional administrative work or legal review may be charged additional processing fees based upon the following rates:

Clerical	\$ 35.00/hour
Financial	\$ 55.00/hour
Legal Assistant	\$ 45.00/hour
Technical	\$ 65.00/hour
Attorney's Fees	\$225.00/hour

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2.3 GENERAL PERMIT FEES (CONTINUED)

Record Copy Fees

Requests for printed copies of permits, engineering plans or other associated correspondence will be subject to the following charges:

Photocopy Fees	\$ 0.15/one-sided 11" x 17" or smaller
	\$ 0.20/two-sided 11" x 17" or smaller
Engineering Plans Black & White	\$ 1.00/copy one-sided larger than 11" x 17"
Engineering Plans Color	\$ 5.00/copy one-sided larger than 11" x 17"
CD/DVD	\$ 10.00/disk

Recording Fees

The LWDD may record a Notice of Permit with the Palm Beach County Clerk of Court for certain types of permits. In addition to the application and usage fees, recording fees based upon current fees charged by the Palm Beach County Clerk of Court will be assessed and collected prior to permit issuance.

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2.4 OTHER FEES

Quit Claim Deed for release of LWDD interests in real estate \$ 250.00 each
[REF: CHAPTER 5, SECTION 5.5]

Additional fees, such as attorney’s fees, recording fees, etc. may apply (See Section 2.4 – General Permit Fees). Also, fair-market value of right-of-way interests may apply (See Sections 5.1 and 5.5).

Quit Claim Deed for release of canal reservations
[REF: CHAPTER 5, SECTION 5.4]

Additional fees, such as attorney’s fees, recording fees, etc. may apply (See Section 2.4 – General Permit Fees).

Less than 100 acres	\$ 250.00 each
100 to 217 acres	\$ 350.00 each
More than 217 acres	\$ 500.00 each

Quit Claim Deed for release of oil/mineral reservations or release of exploration rights
[REF: CHAPTER 5, SECTION 5.4]

Additional fees, such as attorney’s fees, recording fees, etc. may apply (See Section 2.4 – General Permit Fees).

Less than 10 acres	\$ 250.00 each
10 acres to 75 acres	\$ 350.00 each
More than 75 acres	\$ 500.00 each

Agreement Reinstatement Fee or Agreement Extension Fee

The fee required to reinstate or extend Agreements	\$1000.00 each
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Petition for Annexation \$ 500.00/Petition

Service Agreement \$ 500.00/Agreement
In addition to the required recording fees and attorney’s fees

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2.4 OTHER FEES (CONTINUED)

**Temporary Easements for
Ingress/Egress**

One-time processing fee

\$ 480.00 each

[REF: CHAPTER 5, SECTION 5.3]

**Recording fees for Permits,
Agreements, Conveyance
Documents, etc.**

Current fees charged by the Palm
Beach County Clerk of Court

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2.5 FEE CALCULATION EXAMPLES

Example 1

Stormwater Management System with One (1) Drainage Outfall Connection and One (1) 112-Foot Culvert Crossing

Project Description: An application is received requesting a right-of-way permit for one (1) drainage outfall connection within LWDD right-of-way from an internal stormwater management system. In addition, a 112-foot culvert crossing of a LWDD canal is proposed. One application may be submitted noting both items (drainage outfall connection and culvert crossing), but fees associated with each item must be submitted and itemized by the applicant.

Fee Calculation:

Right-of-Way Permit		
for one drainage outfall connection into LWDD right-of-way		
Drainage Outfall Connection permit application fee at \$500.00 per connection	=	\$ 500.00
Drainage Outfall Connection one-time right-of-way usage or occupancy fee at \$750.00 per connection	=	\$ 750.00
AND		
for a 112-foot culvert crossing of a LWDD canal		
Culvert crossing permit application fee 112 L.F. at \$9.00 per L.F.	=	\$ 1,008.00
Culvert crossing one-time right-of-way usage or occupancy fee 112 L.F. at \$14.00 per L.F.	=	\$ 1,568.00
TOTAL RIGHT-OF-WAY PERMIT FEE	=	\$ 3,826.00

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2.5 FEE CALCULATION EXAMPLES (CONTINUED)

**Example 2
Parallel Utility Line and Poles**

Project Description: A 1200 linear foot electric distribution line running parallel within the LWDD right-of-way using 24 poles (poles are also in the LWDD right-of-way).

Fee Calculation:

Right-of-Way Permit		
for 1200 L.F. of parallel utility line installation within LWDD right-of-way		
Parallel utility line permit application fee		
1200 L.F. at \$2.00 per L.F.	=	\$ 2,400.00*
Parallel utility line one-time right-of-way usage or occupancy fee 1200 L.F. at \$20.00 per L.F.	=	\$24,000.00*
AND		
for 24 utility poles running parallel within LWDD right-of-way		
Utility pole permit application fee		
24 utility poles at \$710.00 per pole	=	\$17,040.00
Utility pole one-time right-of-way usage or occupancy fee 24 utility poles at \$1065.00 per pole	=	\$25,560.00
TOTAL RIGHT-OF-WAY PERMIT FEE	=	\$69,000.00
PLUS		
*AN ANNUAL RIGHT-OF-WAY USAGE FEE		
(To be paid annually on the anniversary of the date of permit issuance beginning one year after the date of permit issuance and each year thereafter)		
*The annual (or re-occurring) right-of-way use, or occupancy, fee for the parallel utility line portion, or 1200 L.F., at \$4.00 per L.F.	=	\$ 4,800.00

This annual usage fee is to be adjusted every five (5) years using the compounded Consumer Price Index (CPI).

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2.5 FEE CALCULATION EXAMPLES (CONTINUED)

Example 3

Roadway with Multiple Seven (7) Drainage Outfall Connection and Nine (9) 120-Foot Culvert Crossings

Project Description: A new five-mile roadway project with seven (7) drainage outfall connections and culvert crossings of nine (9) LWDD canals. The crossings consist of culverts each measuring 120 L.F.

Fee Calculation:

Right-of-Way Permit for seven (7) drainage outfall connections into LWDD right-of-way	
Drainage Outfall Connection permit application fee at \$500.00 per connection	= \$ 3,500.00
Drainage Outfall Connection one-time right-of-way usage or occupancy fee at \$750.00 per connection	= \$ 5,250.00
AND	
for nine (9) 120-foot culvert crossings of LWDD canals	
Culvert crossing permit application fee 120 L.F. at \$9.00 per L.F. for nine culvert crossings	= \$ 9,720.00
Culvert crossing one-time right-of-way usage or occupancy fee 120 L.F. at \$14.00 per L.F. for nine culvert crossings	= \$15,120.00
TOTAL RIGHT-OF-WAY PERMIT FEE	= \$33,590.00

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2.5 FEE CALCULATION EXAMPLES (CONTINUED)

Example 4

Bridge Crossing LWDD Canal Right-of-Way

Project Description: A new bridge crossing LWDD canal right-of-way with a surface area of 6,440 S.F. (56 feet wide total bridge cross section by 115 feet long within LWDD right-of-way, including approach slabs and any portion of road within LWDD right-of-way)

Fee Calculation:

Right-of-Way Permit		
for bridge crossing LWDD canal right-of-way		
Bridge permit application fee at \$0.25 per S.F.		
of bridge surface for bridge with 6,440		
S.F. within LWDD right-of-way	=	\$ 1,610.00
Bridge one-time right-of-way usage or		
occupancy fee at \$ 0.40 per S.F. of		
bridge surface for bridge with		
6,440 S.F. within LWDD right-of-way	=	\$ 2,576.00
TOTAL RIGHT-OF-WAY PERMIT FEE	=	\$ 4,186.00