

## **Sabine Neches Waterway User Fee Notice of Implementation May 1, 2021**

The Sabine Neches Navigation District (SNND) exercises jurisdiction over all vessels using the Sabine Neches Waterway (waterway). As the non-federal sponsor for the Sabine Neches Waterway Channel Improvement Project (project), SNND is authorized by 33 USC §2236 to levy fees to finance the non-Federal share of costs of the project.

Subject to SNND Board authorization, it is anticipated that as of May 1, 2021, all vessels carrying cargo on the waterway whose design draft exceeds 20 feet will be subject to paying a user fee, the applicability of which is defined in the Federal Register notice published on January 28, 2021, which is available at:

<https://www.federalregister.gov/documents/2021/01/28/2021-01828/sabine-neches-navigation-district-user-fee-notice>

In the event of any discrepancy between the content to this notice and the content of the January 28, 2021, Federal Register notice, the Federal Register notice shall control.

The User Fee Ordinance establishes an initial fee rate of \$0.20 per short ton for hydrocarbon cargo, and \$0.02 per short ton for non-hydrocarbon cargo. For the purposes of the user fee, hydrocarbon is defined as oil, gas, ethanol, methanol, a commodity or product made or manufactured – in whole or part – from oil or gas, and derivatives or byproducts or fractions of oil or gas all regardless of their physical form and including mixtures of any or all of the above. The fee rate will be reviewed by SNND at 12-month intervals and can be adjusted to a maximum fee rate of \$0.35 per short ton for hydrocarbon cargo, and \$0.035 per short ton for non-hydrocarbon cargo.

The user fee does not apply to:

1. vessels owned, chartered, or operated by the United States government, a foreign country, a state, or a political subdivision of a country or state, unless engaged in commercial services;
2. vessels engaged in towing, dredging or channel maintenance activities;
3. vessels engaged in intra-port movements; or
4. vessels with design drafts of 20 feet or less.

The vessel and cargo owner are jointly responsible for the payment of user fees, which are due and payable upon the 15<sup>th</sup> of the month following the month in which the vessel and cargo used the waterway. On May 1, 2021, the SNND website ([www.navigationdistrict.org](http://www.navigationdistrict.org)) will provide a portal for the entry of pertinent vessel, dockage, and cargo data, fee calculation, preliminary and final invoice development, and user fee wire payment instructions.