



Exempt Action Final Regulation Agency Background Document

Agency name	Department of Conservation and Recreation
Virginia Administrative Code (VAC) citation	4 VAC 5-36
Regulation title	Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services
Action title	Amend the standard fees for use of Department of Conservation and Recreation facilities, programs, and services
Final agency action date	October 27, 2011
Document preparation date	October 31, 2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Department is amending its “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” Regulations including General conditions and criteria concerning waiving or deviating from established fees for facilities, programs, and services (4 VAC 5-36-30); Parking and launch fees (4 VAC 5-36-50); Swimming fees (4 VAC 5-36-70); Camping fees (4 VAC 5-36-90); Cabin fees (4 VAC 5-36-100); Picnic shelters and event tents fees (4 VAC 5-36-110); Horse arena fees (4 VAC 5-36-115); Amphitheater and gazebo fees (4 VAC 5-36-120); Boat storage fees (4 VAC 5-36-130); Interpretative canoe, boat, and paddleboat fees (4 VAC 5-36-140); Interpretive and educational tours and program fees (4 VAC 5-36-150); Outdoor Skills Programs (4 VAC 5-36-160); Miscellaneous rental fees (4 VAC 5-36-200); and Conference center fees (4 VAC 5-36-210).

Increases and changes to these State Park System standard fees represent revisions to reflect private concessionaires new seasonal prices, deletion of fees that have become obsolete, the addition of new offerings, changes to maintain fair market value, and updates to ensure consistency with the private sector. These fee amendments increase the 2006 cabin and camping rates across the board as such fees have not kept pace with market conditions and have lagged behind Virginia private campgrounds, as well as increase annual parking and swim pass fees.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Director of the Department of Conservation and Recreation adopted this final action on the regulation entitled “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” on October 27, 2011. This action has been certified by the Office of the Attorney General as exempt from the Administrative Process Act pursuant to § 2.2-4006A.1 related to exemption for regulations fixing rates or prices. Although exempt, pursuant to § 2.2-4006B the agency will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision. The effective date of regulations adopted under this subsection shall be in accordance with the provisions of § 2.2-4015, except that it shall be no sooner than January 1, 2012.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” Regulation does not directly impact the institution of the family and family stability. This regulatory action will have an effect on the amount of money paid by citizens to utilize the Department’s facilities and services and to participate in our program offerings but will allow for the continued use of these facilities, services, and programs by the public.