



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 20, 2009
Document preparation date	November 2, 2009

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, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

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 the establishment, revision, and revocation of fees (4VAC5-36-40); Parking and launch fees (4VAC5-36-50); Admission fees (4VAC5-36-60); Commercial and nonprofit user fees (4VAC5-36-80); Camping fees; (4VAC5-36-90); Cabin fees (4VAC5-36-100); Picnic shelter fees (4VAC5-36-110); Horse Arena fees (4VAC5-36-115); Amphitheater and gazebo fees (4VAC5-36-120); Boat storage fees (4VAC5-36-130); Interpretive canoe, boat, and paddleboat fees (4VAC5-36-140); Interpretive and educational tours and program fees (4VAC5-36-150); Outdoor skill program fees (4VAC5-36-160); Hunting fees (4VAC5-36-170); Environmental education center fees (4VAC5-36-190); Miscellaneous rental fees (4VAC5-36-200); and Conference center and meeting facility fees (4VAC5-36-210).

Increases to these rates and prices represent changes to maintain fair market value, the addition of new facilities and offerings, updates to ensure consistency with the private sector, and revisions to reflect private concessionaires' new seasonal prices. Language has been added to 4VAC5-36-40 (General conditions and criteria concerning the establishment, revision, and revocation of fees) allowing the electronic submission of documents and payments where available including the use of electronic mail, the Reservation Center and the ReserveAmerica system, completing any forms provided online, or any other manner specified by the Department.

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 20, 2009. 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, 2010.

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.