



Virginia
Regulatory
Town Hall

Exempt Action Final Regulation Agency Background Document

Agency Name:	Department of Conservation and Recreation
VAC Chapter Number:	4 VAC 5-36
Regulation Title:	Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services
Action Title:	Adoption of 4 VAC 5-36-10 through 4 VAC 5-36-210
Secondary Action Title	Repeal 4 VAC 5-35-10 through 4 VAC 5-35-50
Date:	March 5, 2002

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

Note agency actions exempt pursuant to § 9-6.14:4.1(B) do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Department is repealing Chapter 35 and replacing it with a new Chapter 36 that contains substantive updates to the Department's facilities, programs, and service fees and fee policies

following a routine review of fair market values. The fees have not been increased since 1996. The fees set out in this new Chapter include those for: parking; boat launching; admission; swimming; commercial and non-profit use; camping; cabin and lodge rental; picnic shelter, gazebo, and amphitheater use; boat storage; interpretive and outdoor skill programs; hunting; event entrance; environmental educational services and facilities; bike and watercraft rentals; and conference center rentals at Department facilities.

Statement of Final Agency Action

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

The Director of the Department of Conservation and Recreation certifies this final action on the regulation entitled “Standard Fees for Use of Department of Conservation and Recreation Facilities, Programs, and Services” on this day, March 5, 2002. This action has been certified by the Office of the Attorney General as exempt from the Administrative Process Act pursuant to § 2.2-4006A1 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 in the case of emergency regulations, which shall become effective as provided in subsection B of § 2.2-4012.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

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. As these fees have not been adjusted since 1996, the changes represent a leveling with fair market value and a consistency with the private sector.