

IDAPA 26 - PARKS AND RECREATION

26.01.20 - RULES GOVERNING THE ADMINISTRATION OF PARK AND RECREATION AREAS AND FACILITIES

DOCKET NO. 26-0120-1302 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 67-4210, 67-4223, and 67-4249, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be held as follows:

October 21, 2013 (Monday); 6 P.M. – 8 P.M.	October 23, 2013 (Wednesday); 6 P.M. – 8 P.M.	October 24, 2013 (Thursday); 6 P.M. – 8 P.M.
5657 Warm Springs Ave, Boise, Idaho	2885 Kathleen Ave, Suite 1, Coeur d'Alene, Idaho	4279 Commerce Circle, Suite B, Idaho Falls, Idaho

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made no later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Idaho Department of Parks and Recreation proposes changes to IDAPA 26, Title 1, Chapter 20, Section 258.05 which increase the established IDAPA fee caps for the Winter Access Program passes offered by Harriman and Ponderosa State Parks. Additionally, this rule change will add two new pass types to better meet the pass needs of the program's customers.

In order to allow time for user notification and system implementation, it is further requested that, if approved, these rule changes go into effect on Tuesday, July 1, 2014.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

This rule change will increase the IDAPA fee caps for the Winter Access Program's existing passes as follows

Daily Per Person Pass	\$6	(currently \$4)
Family Season Pass	\$100	(currently 35)

Additionally, this rule change will establish two new Winter Access Program pass types and set IDAPA fee caps for them to be as follows

Individual Season Pass	\$50
Couples Season Pass	\$75

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

Fiscal impact is based upon historical usage trends computed against new rates. Total projected positive fiscal impact is \$29,636.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted as the changes being requested were first submitted as Temporary Rules. Upon notification that the Temporary Rules were denied, the agency immediately scheduled public hearings.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief

synopsis of why the materials cited are being incorporated by reference into this rule: Not Applicable

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Tammy L. Kolsky, 208-514-2427.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before Monday, October 28, 2013.

DATED this September 3, 2014.

Tammy L. Kolsky
Program Manager
Idaho Department of Parks and Recreation
5657 Warm Springs Avenue, Boise, ID 83716-8700
P.O. Box 87320, Boise ID 83720-0065
Telephone: 208-514-2427; FAX 208-334-3741

THE FOLLOWING IS THE PROPOSED FEE TEXT FOR DOCKET NO. 26-0120-1302

258. FEE SCHEDULE: SPECIAL FEES.

01. Modification of Fees. Additional fees or deposits may be required for certain uses or for the reservation of certain facilities. The Department reserves the right to waive or reduce fees and charges for Department sponsored promotions. (7-1-93)

02. Sales Tax. Applicable sales tax may be added to all sales excluding the day use fee. (3-30-06)

03. Special Charges. The cost to the agency for returned checks will be passed on to the issuer of the insufficient funds check. (4-4-13)

04. Length of Stay. Fifteen (15) days in any consecutive thirty (30) day period. (3-30-06)

~~**05. Winter Access Program Fee.** A fee of four dollars (\$4) per person per day and thirty five dollars (\$35) per family per season will be required at Board approved premium winter access locations. These programs may include: maintained parking areas, warming facilities, winter accessible restroom facilities, regularly groomed trails, extensive signing, trail mapping and ski patrol services. (4-4-13)~~

259. FEE SCHEDULE: WINTER ACCESS PROGRAM FEES.

<u>WINTER ACCESS PROGRAM FEE TABLE</u>	
<u>Maximum Fee Allowed</u>	
<u>Winter Access Daily per Person Pass – per person per season</u>	<u>\$6</u>
<u>Winter Access Daily Family Pass – per family per season</u>	<u>\$100</u>
<u>Winter Access Individual Season Pass -- per person per season</u>	<u>\$50</u>
<u>Winter Access Couples Season Pass -- per couple per season</u>	<u>\$75</u>

01. Winter Access Program Fee – Daily Pass. A fee of six dollars (\$6) per person per day and one hundred dollars (\$100) per family per season will be required at Board-approved premium winter access locations. These programs may include: maintained parking areas, warming facilities, winter accessible restroom facilities, regularly groomed trails, extensive signing, trail mapping, and ski patrol services. ()

02. Winter Access Program Fee – Season Pass. A fee of fifty dollars (\$50) per Individual Season Pass per person per winter access season and a fee of seventy-five dollars (\$75) per Couples Season Pass per couple per winter access season will be required at Board-approved premium winter access locations. These programs may include maintained parking areas, warming facilities, winter accessible restroom facilities, regularly groomed trails, extensive signing, train mapping, and ski patrol services. ()

~~259~~60. -- 274. (RESERVED)