



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee  
**FROM:** Principal Legislative Research Analyst - Katharine Gerrity  
**DATE:** September 19, 2013  
**SUBJECT:** Department of Parks and Recreation

IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities - Idaho State Park Campsites (Docket No. 26-0120-1301)

IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities - Winter Access Program Passes (Docket No. 26-0120-1302)

### **1. IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities - Idaho State Park Campsites**

The Department of Parks and Recreation submits notice of a proposed fee rule at IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities relating to Idaho state park campsites. According to the department, the proposal is to increase fee caps by \$10.00 per night for all park campsites and by \$50.00 per night for camper cabins and yurts. The department proposes that the rule changes go into effect on July 1, 2014 to allow time for user notification and system implementation. The department goes on to state that the adjustments are necessary in order for it to increase the fee charged for all serviced campsite types by \$2.00 per night for all camping customers, to increase the fee charged for all campsites by \$3.00 per night for all non-resident camping customers, to increase the fee charged for all camper cabins and yurts by \$5.00 per night for all non-resident customers and to increase the fee charged for all other overnight facilities and group campsites by ten percent per night for all nonresident customers.

The department states that it cannot predict how many of its customers "will be able to continue to consider camping in Idaho's state parks an affordable option" and therefore says that it is unable to provide a reasonable forecast for future usage numbers for a fiscal impact statement. The department goes on to state that its fiscal impact therefore assumes no decrease in occupancy and is calculated against averaged site usage using the past three years occupancy rate. It indicates that revenue potential is \$347,149.

According to the department, negotiated rulemaking was not conducted because the changes being requested were first submitted as temporary rules that were denied. Following that denial, the department indicates that it scheduled public hearings. Those hearings are scheduled to occur in October, 2013. It appears that the rulemaking is authorized pursuant to Sections 67-4210, 67-4223 and 67-4249, Idaho Code.

Mike Nugent, Manager  
Research & Legislation

Cathy Holland-Smith, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

## **2. IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities - Winter Access Program Passes**

The Department of Parks and Recreation submits notice of a proposed fee rule at IDAPA 26.01.20 - Rules Governing the Administration of Park & Recreation Areas & Facilities relating to Winter Access Program passes. According to the department, the proposed changes would increase the established fee caps for the Winter Access Program passes offered by Harriman and Ponderosa State Parks. The department states that the rule would also add two new pass types to meet the needs of customers. The department proposes that the rule changes go into effect on July 1, 2014 to allow time for user notification and system implementation. The department states that the proposed fee cap for daily per person passes would increase from \$4.00 to \$6.00 and that the family season pass would increase from \$35.00 to \$100.00. The department indicates that the two proposed new pass types would be an individual season pass offered at \$50.00 and a couples season pass offered at \$75.00. The department also notes, based on historical usage trends, the projected positive fiscal impact would be \$29,636.

According to the department, negotiated rulemaking was not conducted because the changes being requested were first submitted as temporary rules that were denied. Following that denial, the department indicates that it scheduled public hearings. Those hearings are scheduled to occur in October, 2013. It appears that the rulemaking is authorized pursuant to Sections 67-4210, 67-4223 and 67-4249, Idaho Code.

cc: Department of Parks and Recreation - Recreation Areas and Facilities  
Tammy L. Kolsky

## PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

**Department or Agency:** Idaho Department of Parks and Recreation

**Agency Contact:** Tammy Kolsky **Phone:** 208-514-2427

**Date:** August 28, 2013

**IDAPA, Chapter and Title Number and Chapter Name:**

IDAPA 26.01.20 Rules Governing the Administration of Park and Recreation Areas and Facilities

**Fee Rule Status:**     **Proposed**                       **Temporary**

**Rulemaking Docket Number:** 26-0120-1301

### STATEMENT OF ECONOMIC IMPACT:

If approved the IDAPA Fee cap increases are approved IDPR intends to adjust fees charged for all Serviced Campsites and to further adjust fees for non residents.

Estimated Economic impact for both increases is a revenue gain of \$347,149. The projected revenue gain is split as follows:

- \$156,839 - calculated for a \$2 per night increase to the rate charged for all serviced campsite types for all resident and non-resident camping customers.
- \$190,310 - calculated for fee increases for non-resident camping customers for all overnight stays on all individual and group campsites and facilities.