Notices of Exempt Rulemaking

NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

NOTICE OF EXEMPT RULEMAKING

TITLE 12. NATURAL RESOURCES

CHAPTER 8. ARIZONA STATE PARKS BOARD

PREAMBLE

<u>1.</u> Sections Affected Exhibit A

Rulemaking Action

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific): Authorizing statute: A.R.S. § 41-511.05(8)

Implementing statute: A.R.S. § 41-511.05(8)

3. The effective date of the rules:

June 1, 2004

- 4. <u>A list of all previous notices appearing in the Register addressing the exempt rule:</u>
 - Notice of Exempt Rulemaking: 3 A.A.R. 46, January 3, 1997 Notice of Exempt Rulemaking: 4 A.A.R. 35, January 2, 1998 Notice of Exempt Rulemaking: 4 A.A.R. 749, March 20, 1998 Notice of Exempt Rulemaking: 4 A.A.R. 4179, December 18, 1998 Notice of Exempt Rulemaking: 5 A.A.R. 2173, July 9, 1999 Notice of Exempt Rulemaking: 5 A.A.R. 3657, August 23, 2002 Notice of Exempt Rulemaking: 9 A.A.R. 3828, August 29, 2003 Notice of Exempt Rulemaking: 10 A.A.R. 569, February 20, 2004 Notice of Exempt Rulemaking: 10 A.A.R. 1889, May 7, 2004

5. <u>The name and address of agency personnel with whom persons may communicate regarding the rulemaking:</u>

Name:	Elizabeth Jacquez
Address:	1300 W. Washington Phoenix, AZ 85007
Telephone:	(602) 542-2155
Fax:	(602) 542-6949
E-mail:	ejacquez@pr.state.az.us
	or
Name:	Rich Evans
Address:	1300 W. Washington Phoenix, AZ 85007
Telephone:	(602) 542-7151
Fax:	(602) 542-4180
E-mail:	revans@pr.state.az.us

6. <u>An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:</u>

R12-8-109, Fees and Permits set the fees for visitor use and commercial use at Arizona State Parks. Each year, the Arizona State Parks Board reviews its fee structure and approves adjustments for the ensuing calendar year. In its analysis, Arizona State Parks reviews fee structures of surrounding states; reviews operating and development costs

Notices of Exempt Rulemaking

of the State Park System; reviews the public demand for park services and subsequent impacts of visitor use on park resources. State Parks actively pursues public input into the fee structure through regional meetings throughout the State.

Since March 1, 2004, Arizona State Parks has taken additional public comment, and held staff reviews of the agency's Annual Pass program. Administrative and usage descriptions for the current pass program has been developed. These changes are less restrictive, and there is no change to the actual fee for either pass. The Board approved the changes as recommended.

7. A reference to any study that the agency relied on its evaluation of or justification for the rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

Not applicable

- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state: Not applicable
- 9. The summary of the economic, small business, and consumer impact: Not applicable
- 10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

See item #6.

<u>11.</u> <u>A summary of the principal comments and the agency response to them:</u>

Some members of the public were concerned that the fees were too high, while others thought they were too low. The agency responded by explaining the need to charge fees that were commensurate with development costs and ongoing operating costs.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

- **13.** Incorporations by reference and their location in the rules: Not applicable
- 14. Was this rule previously adopted as an emergency rule? If so, please indicate the Register citation: No
- **<u>15.</u>** The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 8. ARIZONA STATE PARKS BOARD

ARTICLE 1. GENERAL PROVISIONS

Section

Exhibit A. April 13, June 1, 2004 Regular Fee Schedule

Notices of Exempt Rulemaking

ARTICLE 1. GENERAL PROVISIONS

Exhibit A. April 13, June 1, 2004 Regular Fee Schedule

ARIZONA STATE PARKS APRIL 13, JUNE 1. 2004 REGULAR FEE SCHEDULE Effective 4/13/04 6/1/2004

HISTORIC PARK AND TOUR FEES

		AGE GROUPS	* GROUP DISCOUNTS		
	Ages 0-6	Ages 7-13	Ages 14 & up	Ages 7-13	Ages 14 & up
Boyce Thompson	(Se	parate Fee Sche	edule)		
Fort Verde	free	1.00	3.00	0.80	2.40
Jerome	free	1.00	4.00	0.80	3.20
McFarland	free	1.00	3.00	0.80	2.40
Riordan Mansion	free	2.50	6.00	2.00	4.80
Tombstone	free	1.00	4.00	0.80	3.20
Tubac Presidio	free	1.00	3.00	0.80	2.40
Yuma Territorial Prison	free	2.00	4.00	1.60	3.20
Yuma Crossing	free	2.00	4.00	1.60	3.20

* All persons in a group, regardless of age, apply toward a group's number. A group is 15 persons or more.

OTHER FEES							
Overnight Parking:	4.00						
*Arizona State Parks Premium Annual Pass	100.00						
Arizona State Parks Deluxe <u>Standard</u> Annual Pass	45.00						
Commercial Retail Permit:	250.00						
Commercial Rental Permit:	300.00						
2nd Commercial Permit:	100.00						
SPECIAL USE FEES:							
Non-commercial:	25.00						
Commercial:	25.00						
Damage Deposit:	25.00						
(commercial fees not to exceed \$10,000)							
PROGRAM FEES (per person):							
Students / Interp. Program:	1.00						
RESERVATIONS:							
Kartchner Tours:	3.00						
Group Day-Use Reservation:	10.00-100.00						
Group Camping Reservation:	25.00-100.00						
*Arizona State Parks Premium Annua accepted at all parks. *Arizona State Parks Deluxe Standar is valid accepted at all parks except: Cattail Cove, and Buckskin Mountain Friday, Saturday, Sunday or <u>any reco</u> holidaye.	d Annual Pass Lake Havasu, State Parks on Ignized state						

Additional fees for events and special programs may apply.

KARTCHNER CAVERNS Estimated Effective Date 08/06/03

TOURS Reservation Fee not included	Ages 0 - 6	Ages 7 - 13	Ages 14 and up	DAILY ENTRANCE (Fee is waived for reserved tour ticket holders.)			
Rotunda Tour	free	6.95	15.95	Per vehicle	Each additional	Individual/bicycle	
*Seasonal Rate Rotunda Tour	free	5.95	13.95	1-2 Adult Per- sons	adult per vehicle		
Big Room Tour	N/A	9.95	19.95	5.00 2.00		2.00	
"Walk Up" Non-Reservation	0 - 6	7 - 13	14 and up	CAMPING Hookup site ONLY			
Rotunda Tour	free	9.95	18.95	Nightly rate 22.00			
*Seasonal Rate Rotunda Tour	free	8.95	16.95	Seaso	110.00		
Big Room Tour	N/A	12.95	22.95				

* July and August

RECREATION AND CONSERVATION PARK FEES

	DAILY EN	ITRANCE	NIGHTLY CAMPING				SEASONAL AND CONDITIONAL RATES*			
	Per Vehicle 1-4 Adult Persons*	Individual/ Bicycle	Campsite	Hook-Up Site	Cabana or Boat Site	Cabin or Yurt	Campsite Per Week	Hook-Up Site	Cabana or Boat Site	Cabin or Yurt
Alamo	5.00	1.00	10.00-12.00	19.00-22.00		35.00-75.00	50.00-60.00	95-110.00		175.00-325.00
Buckskin Mountain	7.00	1.00		19.00-22.00	19.00-22.00			95-110.00	95-110.00	
Buckskin River Island	7.00	1.00	14.00-16.00				70.00-80.00			
Catalina	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Cattail Cove	8.00	1.00	-	19.00-22.00	14.00			95-110.00	70.00	
Dead Horse Ranch	5.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Fool Hollow	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Homolovi Ruins	5.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Lake Havasu	8.00	1.00	14.00-16.00				70.00-80.00			
Lost Dutchman	6.00	1.00	12.00-15.00				60.00-75.00			
Lyman Lake	5.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Oracle	6.00	1.00								
Patagonia Lake	7.00	1.00	12.00-15.00	19.00-22.00	12.00		60.00-75.00	95-110.00	60.00	
Picacho Peak	6.00	1.00	12.00-15.00	19.00-22.00			60.00-75.00	95-110.00		
Red Rock	6.00	1.00	(Camping fees for educational groups only: \$12.00/group of 1-6 persons)							
Roper Lake	6.00	1.00	12.00-15.00	19.00-22.00		35.00-75.00	60.00-75.00	95-110.00		175.00-325.00
Slide Rock	8.00	1.00								
Tonto Natural Bridge	6.00	1.00				35.00-75.00				175.00-325.00
	* Adult perso	n is defined					* Seasonal a	d condition:	l roton onbr	dulad timoa

* Adult person is defined as an individual 14 years of age or older. * Seasonal and conditional rates scheduled times vary by park. Contact individual park directly.