

## Oregon Parks and Recreation Commission

June 12, 2024

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Agenda Item: 9b

**Action**

Public Comment Allowed: **Yes**

Topic: Request to Open Rulemaking 736-015-0020, -0030, -0040, and -0043 Adding and Updating Rate Ranges

Presented by: Katie Gauthier, Government Relations and Policy Manager

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**Background:** ORS 390.124(2)(a) authorizes the State Parks and Recreation Commission to adopt by rule a range of changes for the use of areas established and maintained by the department. From that range, the Director may set and adjust fees, with changes allowed no more than four times per calendar year. This statute is a result of legislation approved in 2017 ([HB 2318](#)).

The first rate ranges were adopted into rule in 2018 and implemented by the department in 2019. Since that time, the director has utilized the flexible fee authority to adjust fees based on visitation patterns, increased costs, and seasonal fluctuations.

For select site types, the current fee charged is nearing the top of the rate range. The initial rate ranges were set with the goal of meeting agency needs for approximately three biennia, which would conclude in June 2025. To ensure continued flexibility and preserve the opportunity to adapt to changing conditions, staff request permission to open rulemaking to adjust rate ranges.

The table of proposed ranges (Attachment B) indicates specific proposed range increases. In general, staff recommend the start, or bottom of the range, will begin with our current fee and the top of the range would increase by 30%. It is important to remember this does not mean rates are increasing for customers by that amount, however, it will provide the agency the flexibility to increase fees over time as conditions change.

The table notes cases where the top of the range is proposed higher than 30% due to market conditions for the site type or where new rate ranges and increases in the bottom of the range are proposed. New site type designations are indicated in bold on the table. Additionally, the table notes site types relating to recreational vehicles that have a 25% surcharge for non-residents, as required by ORS 390.124(2)(a).

Day use parking permit fees are currently assessed at 25 parks. The fee is \$5 per day, \$30 for an annual pass, or \$50 for a 24-month pass. Staff do not recommend an increase to the fee, however, do propose a change in rules to determine which parks assess a fee.

The purpose of the day use parking permit fee as described in OAR 736-015-0030(1) is to manage increased use of park areas by allowing the director to require a motor vehicle day use parking permit fee at selected park areas. Staff recommend removing the specific park names

from rule and establishing in rule criteria by which the department will determine which parks assess a parking permit fee. Utilizing criteria including visitation, management considerations, amenities, location, and historic use will allow the department to better utilize the day use parking permit fee as a tool in managing increased park use, as directed by the purpose of the fee.

If approved to open rulemaking, staff propose opening public comment through the summer, with public hearings virtually and in person. After an analysis and consideration of public comment, staff would bring back to the Commission for adoption in the Fall or Winter.

**Prior Action by Commission:** Rate ranges were first approved by the Commission in September 2018 following passage of HB 2318 (2017).

**Action Requested:** Open rulemaking for OAR 736-015-0020, 736-015-0030, 736-015-0040 and 736-015-0043 to update and add rate ranges as authorized under ORS 390.124(2)(a) and establish criteria for assessment of day use parking fees.

**Attachments:**

Attachment A- Marked Copy

Attachment B- Proposed Rate Range Table

**Prepared by:** Katie Gauthier