



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Natural Resources

TITLE-SERIES: 58-36

RULE TYPE: Legislative

CITE STATUTORY AUTHORITY: §§20-3-3a(e) and 20-7-9

RULE NAME: 58-36 Cabwaylingo State Forest Trail System Two Year Pilot Project Permitting ATVs and ORVs

PLEASE SELECT A SUNSET PROVISION OPTION:

EXTEND THE SUNSET DATE OF THE RULE.

3 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS INCORPORATED BY REFERENCE

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The purpose of this rule is to provide for the regulation of the two-year pilot project permitting all-terrain or off-highway recreational vehicles on designated roads and trails in Cabwaylingo State Forest.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The agency needs to extend the rule in order to fully implement and complete the pilot project program as required by W. Va. Code §20-3-3a.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

Revenues will include increased cabin, camping and other revenue resulting from the program.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

Costs for the program include equipment and labor necessary to to implement and operate the program to ensure proper natural resource protection and user safety.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2020 Increase/Decrease (use "-")	2021 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	37,250	41,250
Personal Services	0	20,000	40,000
Current Expenses	0	1,250	1,250
Repairs and Alterations	0	1,000	0
Assets	0	35,000	0
Other	0	0	0
2. Estimated Total Revenues	0	7,200	72,000

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

The numbers above are for FY 2019 and 2020. This fiscal year we expect to hire an Assistant Superintendent which would be employed half the year. Additional assets will include the purchase of a UTV and four wheel drive truck for patrolling. Repairs and alterations include signs and other materials for implementation. Additional current expenses include operation expenses such as items for resale, linens, and other usual operational expenses. Revenue includes an anticipated 10% increase in overall revenue for the year through an increase in occupancy and retail sales. Full implementation year expenses include labor for an Assistant Superintendent and full year operation expenses. The revenue is an estimated 100% increase in overall forest revenue due to an increase in occupancy in the cabins, campgrounds and group camp, and an increase in retail sales. Revenue average for the past three fiscal years was \$72,000

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Wesley H White -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.