

**PROPOSED REGULATION OF THE ADMINISTRATOR OF THE
DIVISION OF STATE PARKS OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

LCB File No. R123-20

September 21, 2020

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-13, NRS 407.0475 and 407.065; §§14-22, 25 and 26, NRS 407A.220; §§23 and 24, NRS 407A.220 and 407A.225.

A REGULATION relating to outdoor recreation; classifying state parks into regions; revising certain requirements for obtaining a photography permit; revising certain requirements for a person 65 years or older to obtain an annual permit; revising prohibitions and restrictions relating to camping and other activities in state parks; making various other changes relating to state parks; establishing requirements for the Outdoor Education and Recreation Grant Program; establishing the membership and duties of the Technical Advisory Committee for the Grant Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to adopt regulations relating to state parks including any prohibition or restriction on activities within state parks or recreational facilities subject to the jurisdiction of the Division. (NRS 407.0475)

Section 2 of this regulation classifies the parks in this State by region.

Sections 3 and 9 of this regulation revise the requirements for obtaining a permit to engage in certain film or photography activities in a state park.

Section 6 of this regulation eliminates the requirement that a person 65 years or older must have resided in this State continuously for 5 years or more to obtain an annual park permit for senior citizens.

Under existing regulations the Division will reduce the entrance fee by \$1 to persons who present a disability placard upon entrance to the park. (NAC 407.050) **Section 6** provides that the Division must also reduce the entrance fee by \$1 to persons who, upon entry to the park, are in a vehicle displaying a special license plate for persons with disabilities or a special license plate for veterans or who present a military identification card.

Section 7 of this regulation revises the entrance fees for certain parks and sets forth the hours that the payment of a camping fee authorizes a person to use a park's camping facilities.

Section 8 of this regulation provides that if a person camps in one or more parks in the Western region for 14 days within a 30-day period, that person is prohibited from camping in any park in the Western region for the remainder of the 30-day period.

Section 10 of this regulation prohibits a person from placing certain wastes or hazardous substances on the ground or water of a park.

Section 11 of this regulation prohibits a person from using an off-highway vehicle on trails or other areas of the park unless the Administrator has designated such trails or areas for use by off-highway vehicles. **Section 4** of this regulation revises the definition of "off-highway vehicle" to be consistent with the definition set forth in NRS.

Section 12 of this regulation provides that the Administrator or his or her designee may declare a curfew for juveniles in a park rather than the ranger in charge of the region.

Section 13 of this regulation prohibits a person from camping more than 7 days in a 30-day period in Fort Churchill State Historic Park.

Existing law establishes the Outdoor Education and Recreation Grant Program and requires the Administrator to adopt regulations for: (1) the governance of the Grant Program; and (2) the establishment of an advisory committee to assist the Administrator in developing and administering the Grant Program. (NRS 407A.220, 407A.225)

Sections 16-20 of this regulation define certain terms relating to the Grant Program.

Section 21 of this regulation sets forth: (1) the agencies, organizations, programs and other entities that are eligible to receive a grant from the Grant Program; and (2) the program activities for which grant funds may be used.

Section 22 of this regulation provides that the Administrator may impose certain limitations on the grant money awarded under the Grant Program.

Section 23 of this regulation sets forth the membership of the Technical Advisory Committee.

Section 24 of this regulation sets forth the duties of the Technical Advisory Committee.

Section 25 of this regulation requires the Administrator to review the recommendations of the Technical Advisory Committee, determine which grants to award and the amount to be awarded and post the grants awarded on the Internet website of the Division.

Section 26 of this regulation sets forth certain requirements for a grant recipient and authorizes the Division to perform certain audits and to terminate the Division's participation in a project in certain circumstances.

Section 1. Chapter 407 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. 1. *For the purposes of this chapter, the parks of this State are divided into the Eastern region, Southern region, Tahoe region and Western region.*

2. The parks in the:

(a) Eastern region are Beaver Dam State Park, Cathedral Gorge State Park, Cave Lake State Park, Echo Canyon State Park, Elgin Schoolhouse State Historic Site, Kershaw-Ryan State Park, South Fork State Recreation Area, Spring Valley State Park, Ward Charcoal Ovens State Historic Park and Wild Horse State Recreation Area.

(b) Southern region are Big Bend of the Colorado State Recreation Area, Ice Age Fossils State Park, Old Las Vegas Mormon Fort State Historic Park, Spring Mountain Ranch State Park and Valley of Fire State Park.

(c) Tahoe region is the Lake Tahoe Nevada State Park, which consists of Marlette and Hobart Management Area, Sand Harbor, Cave Rock Management Area, Spooner Lake and Van Sickle Bi-State Park.

(d) Western region are Berlin-Ichthyosaur Park, Dayton State Park, Fort Churchill State Historic Park, Lahontan State Recreation Area, Mormon Station State Historic Park, Rye Patch State Recreation Area, Walker River State Recreation Area and Washoe Lake State Park.

Sec. 3. 1. *Except as otherwise provided in subsection 2, a person must obtain a photography permit and pay the applicable fees set forth in NAC 407.050 for any film or photography project in a park that:*

(a) Involves commercial photography;

(b) May impact the natural, cultural or recreational resources of the park or disrupt or interfere with the use and enjoyment of the park by another visitor;

(c) Uses actors, models, special effects, vehicles, sets or props in the park;

(d) Requires entry into any area of the park that is closed to visitors; or

(e) Requires closure of all or part of the park to other visitors.

2. A person is not required to obtain a photography permit:

(a) If the person is a reporter or other person who is employed in any news media, including, without limitation, newspapers and television, and the person enters the park to film, photograph or take an audio recording of a news event that occurs in the park; or

(b) For commercial photography if the person is the only person who will be in the park for the film or photography project and none of the conditions described in paragraphs (b) to (e), inclusive, of subsection 1 apply to the project.

3. The requirement to get a photography permit pursuant to this section is in addition to a special use permit that may be required pursuant to NAC 407.053.

Sec. 4. NAC 407.0088 is hereby amended to read as follows:

407.0088 “Off-highway vehicle” ~~[means a motorized vehicle of any size that is:~~

~~—1.— Operated or used exclusively off the roads or highways of this State; and~~

~~—2.— Not legally equipped for operation or use on such highways.]~~ *has the meaning ascribed to it in NRS 490.060.*

Sec. 5. NAC 407.010 is hereby amended to read as follows:

407.010 1. The provisions of NAC 407.050 to 407.150, inclusive, *and sections 2 and 3 of this regulation* apply to all lands administered by the Division.

2. The prohibitions and restrictions of this chapter do not apply to employees of the Division while carrying out the duties of their employment.

Sec. 6. NAC 407.050 is hereby amended to read as follows:

407.050 1. The Division will issue a permit for senior citizens to a person who is a resident of Nevada and applies for such a permit if the person:

(a) Is 65 years of age or older;

(b) ~~Has continuously resided in this State for the 5 years immediately preceding the date on which the person submits the application;~~

~~(c)~~ Pays a \$30 administrative fee to the Division;

~~(d)~~ (c) Provides proof of age and residence in Nevada to the Division; and

~~(e)~~ (d) Possesses a Nevada driver's license or an identification card issued by the Department of Motor Vehicles.

↪ A permit for senior citizens authorizes the holder to enter, camp in and boat in all parks for 12 months after the date the permit is issued. The permit does not authorize the use of hook-ups without payment of the fee set forth in this section.

2. The Division will issue a permit for disabled veterans to a person who is a resident of Nevada and applies for such a permit if the person:

(a) Provides proof to the Division of:

(1) A permanent service-connected disability of 10 percent or more;

(2) The status required by NRS 407.065;

(3) An honorable discharge from the Armed Forces of the United States; and

(4) Residence in Nevada; and

(b) Pays a \$30 administrative fee to the Division.

↪ A permit for disabled veterans authorizes the holder to enter, camp in and boat in all parks for 12 months after the date the permit is issued. The permit does not authorize the use of hook-ups without payment of the fee set forth in this section.

3. The Division may issue a permit that authorizes the landing of not more than two nonemergency aircraft in designated areas of a park. If the Division issues such a permit, the Division will charge a fee of \$200 per event per day for the permit.

4. The Division will charge and collect the following fees:

(a) For the use of a facility for the dumping of sewage by a person not camping in the park The entrance fee for the park.

(b) For the use of the showers by a person not camping in the park..... The entrance fee for the park, not including any additional charges at coin-operated showers.

(c) For making a camping reservation for individual campsites or cabins or related activities in a park designated by the Administrator as being available for camping reservations Not more than \$25 per reservation for a campsite or cabin, day use or other related activities.

(d) For the reservation of stage areas The fee established by agreement or a special use permit, or both.

(e) To replace an all access permit, an annual permit, a permit for senior citizens or a permit for disabled veterans \$10.

(f) For the use of a campsite at which a hook-up is available \$10 per vehicle.

5. For commercial bus tours, the Division will charge and collect the established entrance fee or \$2 per person, whichever is greater, or the fee established by a special use permit. A special use permit may provide for monthly billings.

6. For each day or partial day that a person engages in ~~commercial~~ *an activity requiring a photography permit* in a park ~~and~~ *pursuant to section 3 of this regulation*, the Division will charge and collect the following fee according to the total number of vehicles or the total number of persons, whichever results in a higher fee:

Number of Vehicles or Persons	Fee Per Day
Class A: 1 to 3 vehicles or 2 to 15 persons	\$50
Class B: 4 to 7 vehicles or 16 to 30 persons	200
Class C: 8 to 11 vehicles or 31 to 50 persons	350
Class D: 12 to 15 vehicles or 51 to 75 persons	500
Class E: 16 to 20 vehicles or 76 to 100 persons.....	800
Class F: 21 to 50 vehicles or 101 to 400 persons.....	2,100
Class G: More than 50 vehicles or more than 400 persons.....	3,500

7. A person may request an annual class A ~~commercial~~ photography permit ~~for the activities that require a photography permit pursuant to section 3 of this regulation.~~ Upon approval of such a request, the Division will charge and collect from the person a fee of \$500. An annual class A ~~commercial~~ photography permit will be recognized at all parks for 12 months after the date of issuance. A person to whom is issued an annual class A ~~commercial~~ photography permit shall:

(a) Pay the entrance fee required pursuant to NAC 407.055 each time he or she enters a park to engage in ~~commercial~~ *an activity requiring a photography permit pursuant to section 3 of this regulation;*

(b) Maintain adequate insurance coverage for the entire period he or she holds such a permit and provide proof to the Division of such coverage; ~~and~~

(c) Contact in advance the office of the park that he or she intends to use to confirm the availability of the areas where the person intends to engage in ~~commercial~~ *an activity requiring a photography permit pursuant to section 3 of this regulation; and*

(d) Obtain a special use permit if a special use permit is required pursuant NAC 407.053.

8. A park supervisor or regional manager in charge of a region in which a park is located may determine the area of the park that can be used under a ~~commercial~~ photography permit.

9. A person who has obtained a ~~commercial~~ photography permit may request that the Division reserve an area within the park for use on a specific day in accordance with the terms of the permit. Upon approval of such a request, the Division will charge and collect from the person a reservation fee of \$100. The reservation fee is in addition to any fee charged and collected pursuant to subsection 6 or 7.

10. The Division ~~will~~ *may* not charge ~~:~~

~~(a) A fee, other than the entrance fee for the park, pursuant to this section for photography engaged in for noncommercial, educational purposes, to promote the park.~~

~~(b) An~~ *an* entrance fee for the park for a reporter or other person who is employed in any news media, including, without limitation, newspapers and television.

11. If a user of a park does not deposit the required fee in the available self-service devices, the Division:

(a) ~~Will~~ *Must* charge the user a fee of \$10 for collection service, in addition to other fees; and

(b) May file criminal charges against the user for theft as defined in NRS 205.0832.

12. For each special use permit or commercial use permit, the Division will charge a processing fee of \$25 in addition to any other fee charged for the permit.

13. The Division ~~will~~ *must* reduce by \$1 any entrance fee established pursuant to this chapter charged to a person who ~~holds~~ *upon entrance to the park:*

(a) Presents a disability placard ~~[and presents it upon entrance to a park.];~~

(b) Is in a vehicle displaying a special license plate for persons with disabilities;

(c) Is in a vehicle displaying a special license plate for veterans; or

(d) Presents a military identification card issued by any branch of the Armed Forces of the United States.

Sec. 7. NAC 407.055 is hereby amended to read as follows:

407.055 1. Except as otherwise provided in NAC 407.050, or unless waived, the Division will charge and collect the following fees for the use of parks:

Park	All Access Permit Fee	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
Beaver Dam	\$200	\$75	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Berlin-Ichthyosaur	\$200	\$75	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	Guided Tours: \$5 per person Children 12 and under free
Big Bend of the Colorado	\$200	\$75	\$10	\$10 plus \$10 per vehicle at campsites with utility hook-ups	\$10	N/A	N/A	N/A
Cathedral Gorge	\$200	\$75	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Cave Lake	\$200	\$75	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Dayton	\$200	\$75	\$5	\$10	N/A	\$75 for 6 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons \$200 for 151 or more persons plus the entrance fee per vehicle	N/A	N/A
Echo Canyon	\$200	\$75	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Elgin School House	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Fort Churchill	\$200	\$75	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Fort Churchill-Buckland Station	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Fort Churchill-Carson River Ranches	\$0	\$0	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A

Park	All Access Permit Fee	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
<i>Ice Age Fossils</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>Museum admission: \$3 adults children 12 and under free</i>
Kershaw-Ryan	\$200	\$75	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	N/A	N/A
Lahontan	\$200	\$75	\$5	\$10	\$10	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Lake Tahoe: Cave Rock	\$200	\$75	\$10 or \$2 for 15 min. photo stop	N/A	\$10	N/A	N/A	N/A
Sand Harbor	\$200	\$75	\$10	N/A	\$10	\$400 plus the entrance fee per vehicle	N/A	N/A
Spooner Lake	\$200	\$75	\$10 plus \$2 per bike for vehicles with more than 4 bikes	N/A	N/A	N/A	\$75 for 1 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons	N/A
Van Sickle	\$200	\$75	\$10 plus \$2 per bike for vehicles with more than 4 bikes	N/A	N/A	N/A	N/A	N/A
Mormon Station	N/A	N/A	N/A	N/A	N/A	\$150 for 6 to 50 persons \$200 for 51 to 100 persons \$250 for 101 to 150 persons \$300 for 151 or more persons plus the entrance fee per vehicle	N/A	Museum admission: \$3 adults children 12 and under free
Old Las Vegas Mormon Fort	N/A	N/A	N/A	N/A	N/A	\$100 for 6 to 100 persons \$200 for 101 or more persons plus the entrance fee per vehicle	N/A	Museum admission: \$3 adults children 12 and under free
Rye Patch	\$200	\$75	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
South Fork	\$200	\$75	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A

Park	All Access Permit Fee	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
Spring Mountain Ranch	\$200	\$75	\$10	N/A	N/A	\$200 plus the entrance fee per vehicle	N/A	N/A
Spring Valley	\$200	\$75	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Tule Springs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Valley of Fire	\$200	\$75	\$10	\$10 plus \$10 per vehicle at campsites with utility hook-ups	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Walker River	\$200	\$75	\$5	\$10 plus \$10 per vehicle at campsites with utility hook-ups	N/A	N/A	N/A	N/A
Ward Charcoal Ovens	\$200	\$75	\$5	\$10	N/A	N/A	\$25 plus the entrance and camping fees per vehicle	N/A
Washoe Lake	\$200	\$75	\$5	\$10	\$5	Equestrian Group Use \$50 plus the entrance fee per vehicle Main Group Use \$75 for 6 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons \$200 for 151 or more persons Plus the entrance fee per vehicle	Equestrian Group Camping \$50 plus the entrance and camping fees per vehicle	\$50 for use of Arena
Wild Horse	\$200	\$75	\$5	\$10	\$5	N/A	\$25 plus the entrance and camping fees per vehicle	N/A
Cabins or Yurts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Rental not to exceed \$150 per night plus the entrance fee per vehicle

2. *A person who pays a camping fee for a park pursuant to subsection 1 is authorized to use the camping facilities of the park from 2 p.m. until 11 a.m.*

3. A person who pays an entrance fee pursuant to subsection 1 is not authorized to use the facilities of the park from 10 p.m. until 6 a.m. unless the person also pays the camping fee for the park.

~~[3.]~~ 4. The Division will charge and collect from each person who rides a bicycle or horse, walks or enters by a nonmotorized vessel into a park an entrance fee of \$2.

~~[4.]~~ 5. The Division will not charge a fee for any vehicle that is towed into a park.

~~[5.]~~ 6. The Division will charge, in addition to any other fee imposed pursuant to this chapter, a fee of \$5 for each watercraft in excess of two that is launched from a boat ramp or set adrift from shore.

~~[6.]~~ 7. If a person purchases an annual permit to a park for a vehicle, the person may purchase at the same time a second annual permit to the same park at a discounted price equal to one-half of the price of the annual permit. The annual permit purchased at a discounted price must be for a vehicle registered to the same owner at the same residence as the owner of the vehicle for which the permit was purchased at regular price.

Sec. 8. NAC 407.080 is hereby amended to read as follows:

407.080 1. A person shall not camp:

(a) In a place restricted to use during the day or in an area not designated as a camping area unless approved by the supervisor of the park; ~~[or]~~

(b) For more than 14 days in a 30-day period *at any park that allows camping* unless a ~~[longer or]~~ shorter time ~~[is]~~ :

(1) *Is* designated by the supervisor of the park and is approved by the regional manager of the region in which the park is located ~~[1]~~; *or*

(2) *Is set forth for the park pursuant to NAC 407.211 to NAC 407.370, inclusive.*

2. *If a person camps in one or more of the parks in the Western region for 14 days within a 30-day period, in addition to the restrictions set forth in subsection 1, the person is prohibited from camping in any park in the Western region for the remainder of the 30-day period.*

3. Unless a campsite is reserved, camping is on a first-come, first-served basis.

~~[3]~~ 4. If the applicable fee has not been paid or if the time for occupancy has expired, the occupant of a campsite shall remove any property of the occupant from the campsite by ~~[2 p.m.]~~ *11 a.m.* on the day the fee is due or by the time designated by the supervisor of the park.

~~[4]~~ 5. The occupant of a campsite shall not leave it unoccupied overnight without the permission of the supervisor of the park.

~~[5]~~ 6. No more than two motorized vehicles, a combination of a motorized vehicle and a towed vehicle, or eight persons may occupy one campsite unless the supervisor of the park:

- (a) Authorizes a greater number of vehicles;
- (b) Restricts parking to fewer than two vehicles; or
- (c) Restricts the occupancy of a campsite to fewer than eight persons.

~~[6]~~ 7. A person may not save a campsite for use by other persons.

Sec. 9. NAC 407.088 is hereby amended to read as follows:

407.088 1. In a park no person may:

(a) Without the approval of the Administrator, post or distribute a handbill, notice or advertisement.

(b) Without a concession permit or commercial use permit granted by the Administrator:

(1) Sell or offer to sell any goods or services.

(2) ~~{Use}~~ *Except as otherwise provided in subsection 2, use* a park for any other commercial purpose.

2. *A person who is required to obtain a photography permit pursuant to section 3 of this regulation is not required to obtain a commercial use permit pursuant to this section.*

3. As used in this section, “commercial purpose” means any activity that is engaged in for financial gain, including, without limitation, the buying, selling or other exchange of commodities or the providing of services related to or connected with trade, traffic or commerce in general.

Sec. 10. NAC 407.110 is hereby amended to read as follows:

407.110 No person may:

1. Use any trash can or other facility for refuse in a park to dispose of garbage or other waste brought into the park.

2. Clean fish, food, clothing or kitchenware at any place that the supervisor of the park has not authorized for that use.

3. *Place any bodily waste, wastewater, sewage, effluent, discharge from sinks, toilets or other plumbing fixtures, containers or holding tanks, oil, fuel or any other hazardous or offensive substance upon the ground or in the water of a park.*

Sec. 11. NAC 407.120 is hereby amended to read as follows:

407.120 Unless authorized by the supervisor of the park, a person shall not:

1. Park any vehicle or trailer in any area not designated as a parking area;

2. Park any vehicle or trailer in more than one parking space at a time;

3. Park any vehicle or trailer overnight;
4. Leave any personal property in the park overnight; or
5. Except as otherwise provided in NAC 407.122, drive a snowmobile, ~~all-terrain~~ *off-highway* vehicle, motorcycle or moped, or ride a bicycle, motorized skateboard or skateboard, or drive or ride any other vehicle on a trail, or in any area which has not been specifically designated or developed for that use.

Sec. 12. NAC 407.145 is hereby amended to read as follows:

407.145 1. The ~~ranger in charge of a region~~ *Administrator or his or her designee* may declare a curfew for juveniles in any park or part of a park upon finding that it is necessary for the protection of the safety and welfare of the public. The order for the curfew must:


- (a) Specify the hours of the curfew;
- (b) Specify the length of time the order is in effect; and
- (c) Be posted in a conspicuous place in the park.

2. If a curfew has been ordered, no juvenile may enter or remain in the park during the period of the curfew unless the juvenile is:

- (a) Accompanied by a parent or guardian;
- (b) Part of a group which is authorized to occupy the park and is supervised by at least 1 adult for each 10 juveniles; or
- (c) Lawfully camping and has furnished to the ranger in the park the written consent of his or her parent or guardian which includes, without limitation, the full name, address and telephone number of the parent or guardian and the dates for which permission to camp is granted.

Sec. 13. NAC 407.270 is hereby amended to read as follows:

407.270 Within Fort Churchill State Historic Park, a person shall not ~~pass~~ :

1. *Pass* over or under, or damage any fence of the Park  ; or
2. *Camp for more than 7 days in any 30-day period.*

Sec. 14. Chapter 407A of NAC is hereby amended by adding thereto the provisions set forth as sections 15 to 26, inclusive, of this regulation.

Sec. 15. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 16 to 20, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 16. *“Administrator” has the meaning ascribed to it in NRS 407A.105.*

Sec. 17. *“Division” has the meaning ascribed to it in NRS 407A.110.*

Sec. 18. *“Grant Program” has the meaning ascribed to it in NRS 407A.200.*

Sec. 19. *“Outdoor education and recreation” means an approach to education and recreation that uses connectivity and direct experiences in the outdoors to teach and inspire wonder and creativity while learning from natural resources and recreational experiences.*

Sec. 20. *“Technical Advisory Committee” means the committee established pursuant to NRS 407A.225.*

Sec. 21. 1. *The Administrator will administer the Grant Program to provide grants for outdoor environmental, ecological, agricultural or other natural resource-based education and recreation programs for pupils in this State.*

2. *The following are eligible to apply for a grant from the Grant Program:*

(a) *Any department, division or agency of the federal government, this State or a local government.*

(b) *A federally recognized Indian tribe.*

(c) *A private nonprofit organization.*

(d) A school district, public school, private school or charter school.

(e) Any community-based program, entity or organization.

3. To apply for a grant, the agency, tribe, organization, program or entity must submit an application on a form provided by the Division.

4. A grant from the Grant Program:

(a) May be used for the following purposes:

(1) Outdoor education and recreation;

(2) Outdoor environmental education;

(3) Agricultural education;

(4) Natural resource-based education and recreation;

(5) Conservation education;

(6) Ecological education;

(7) Environmental stewardship education; or

(8) Environmental restoration education.

(b) May not be used for the following purposes:

(1) Activities that may reasonably be perceived to lobby or advocate for political purposes;

(2) Activities that would violate any local, state or federal law; or

(3) Organized youth sports, including, without limitation, community leagues and school teams.

Sec. 22. 1. The Administrator may establish limitations on the availability and use of grant money. Any such limitations will be set forth in the applicable application instructions.

2. The Administrator may:

(a) Review and approve or disapprove an application for a grant that requests less than \$5,000 instead of referring the application to the Technical Advisory Committee;

(b) Require that any applicant for a grant make a matching contribution to be eligible for the Grant Program; or

(c) Reduce the money provided from that which is requested in a grant application for any element of the grant proposal.

Sec. 23. 1. *The Technical Advisory Committee consists of:*

(a) The Administrator of the Division of Outdoor Recreation of the State Department of Conservation and Natural Resources; and

(b) The following members appointed by the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources:

(1) One member who represents a state agency other than the Division of State Parks or the Division of Outdoor Recreation;

(2) One member who represents a local government;

(3) One member who represents a federal agency;

(4) One member who represents a school district or a public school other than a charter school;

(5) One member who represents a private school or charter school;

(6) One member who represents a private nonprofit organization or community-based program, entity or organization;

(7) One member who represents the outdoor business community; and

(8) One member who has participated in an outdoor recreation and education grant program funded by a grant awarded pursuant to NRS 407A.220 or, if no such person is

available to serve, a person who represents pupils in this State and has knowledge and experience in outdoor education and recreation programs.

2. The Administrator of the Division of State Parks or his or her designee shall serve as the Executive Secretary to the Technical Advisory Committee.

3. Each member of the Technical Advisory Committee appointed pursuant to paragraph (b) of subsection 1 serves a term of 2 years and may be reappointed. Such members serve at the pleasure of the Administrator.

4. The Chair and Vice Chair of the Technical Advisory Committee shall be elected by a majority vote of the members of the Technical Advisory Committee.

Sec. 24. *When evaluating completed grant applications for each periodic solicitation of grant applications, the Technical Advisory Committee shall:*

1. Consider, without limitation:

(a) The eligibility requirements for a grant;

(b) The requirements and priorities for program selection set forth in NRS 407A.220;

(c) Any limitations set forth by the Administrator pursuant to section 22 of this regulation;

(d) The feasibility of the project; and

(e) The estimated costs of the program and benefits to the pupils in this State.

2. Rank each application received in order of priority for awarding grants. Unless otherwise required by the Administrator pursuant to section 22 of this regulation, a matching contribution is not required to apply for a grant, but applications that include a matching contribution, including, without limitation, cash or in-kind matches, may receive a higher ranking.

3. *Recommend the amount of a grant to be awarded, if any, for a project proposed in a grant application.*

4. *Provide the Administrator with a ranked list of applicants and the recommended amount of the grant for each applicant.*

Sec. 25. *The Administrator will:*

1. *Except as otherwise provided in section 22 of this regulation, consider the grant applications in the order the applications were ranked by the Technical Advisory Committee;*

2. *Determine whether to award a grant and, if applicable, in what amount the grant should be awarded; and*

3. *Post on the Internet website of the Division any grants awarded pursuant to this section not later than 5 business days after awarding the grant.*

Sec. 26. 1. *For each grant awarded, an agreement must be executed between the grant recipient and the Division.*

2. *Any costs incurred before an agreement is executed pursuant to subsection 1 must not be paid by the grant award unless otherwise approved by the Administrator.*

3. *Each grant recipient must:*

(a) *Submit a report to the Division as directed in the agreement executed pursuant to subsection 1;*

(b) *Certify compliance with all applicable federal and state laws and regulations; and*

(c) *Maintain accurate accounting records on the expenditure of the grant money received pursuant to sections 21 to 26, inclusive, of this regulation and provide such records to the Division in accordance with any terms set forth in the agreement executed pursuant to subsection 1 or at the request of the Division.*

4. The Division may:

(a) Audit the use of grant money in accordance with generally accepted audit practices and standards; and

(b) Terminate the participation of the Division in any project that fails to perform in accordance with the requirements of this section.