REVISED PROPOSED REGULATION OF THE

ADMINISTRATOR OF THE DIVISION OF STATE PARKS OF

THE STATE DEPARTMENT OF CONSERVATION AND

NATURAL RESOURCES

LCB File No. R083-13

October 9, 2013

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

AUTHORITY: §§1-10, NRS 407.0475 and 407.065.

A REGULATION relating to state parks; revising provisions governing annual permits for the use of state parks; providing for the issuance of permits for disabled veterans; providing for the issuance of permits for landing nonemergency aircraft in designated areas of state parks; revising provisions governing commercial photography in state parks; imposing and revising various fees; providing for the waiver of fees under certain circumstances; and providing other matters properly relating thereto.

Section 1. Chapter 407 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Sec. 2. ***"Annual boating permit" means, except as otherwise provided in NAC 407.052, a permit which, for 12 months, authorizes the holder to enter a park and use the facilities of the park and boat without paying the entrance fee and boating fee imposed by NAC 407.055.***

Sec. 3. ***A person to whom has been issued an annual permit for the use of the:***

1. Sand Harbor Management Area, Spooner Management Area or Cave Rock Management Area may enter each of those parks and use the facilities of those parks without paying the entrance fee imposed by NAC 407.055.

2. Rye Patch State Recreation Area, South Fork State Recreation Area or Wild Horse State Recreation Area may enter each of those parks and use the facilities of those parks without paying the entrance fee imposed by NAC 407.055.

3. Cathedral Gorge State Park, Echo Canyon State Park, Spring Valley State Park, Kershaw-Ryan State Park, Beaver Dam State Park, Cave Lake State Park or Ward Charcoal Ovens State Historic Park may enter each of those parks and use the facilities of those parks without paying the entrance fee imposed by NAC 407.055.

Sec. 4. *Except as otherwise provided in NAC 407.052, a person to whom has been issued an annual boating permit for the use of the:*

1. Sand Harbor Management Area, Spooner Management Area or Cave Rock Management Area may enter and boat in each of those parks without paying the entrance fee or boating fee imposed by NAC 407.055.

2. Rye Patch State Recreation Area, South Fork State Recreation Area or Wild Horse State Recreation Area may enter and boat in each of those parks without paying the entrance fee or boating fee imposed by NAC 407.055.

Sec. 5. NAC 407.005 is hereby amended to read as follows:

407.005 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 407.006 to 407.0097, inclusive, ***and section 2 of this regulation*** have the meanings ascribed to them in those sections.

Sec. 6. NAC 407.0062 is hereby amended to read as follows:

407.0062 "Annual permit" means ~~[:~~

~~1. For any park except Cathedral Gorge State Park, Echo Canyon State Park, Spring Valley State Park, Kershaw-Ryan State Park, Beaver Dam State Park, Cave Lake State Park or Ward Charcoal Ovens State Historic Park,]~~ a permit which, for 12 months, authorizes the holder to enter ~~[the]~~ ***a*** park and use the facilities of the park without paying the entrance fee imposed pursuant to NAC 407.055.

~~[2. For Cathedral Gorge State Park, Echo Canyon State Park, Spring Valley State Park, Kershaw-Ryan State Park, Beaver Dam State Park, Cave Lake State Park or Ward Charcoal Ovens State Historic Park, a permit which, for 12 months, authorizes the holder to enter each one of those parks and use the facilities of that park without paying the entrance fee imposed pursuant to NAC 407.055.]~~

Sec. 7. NAC 407.0071 is hereby amended to read as follows:

407.0071 "Commercial photography" means photography engaged in for financial gain, including, without limitation, the sale of a photographic image as a product or for use in advertising, motion pictures, ***portraits,*** television productions or portfolios and the archiving of an image by a person who uses photographic skills, equipment or resources to provide a photographic product for sale.

Sec. 8. 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 ~~[who]~~ ***and*** applies for such a permit if the ~~[resident:]~~ ***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 ~~[resident]~~ ***person*** submits the application;

(c) Pays a $30 administrative fee ~~[;]~~ ***to the Division;***

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

(e) 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 ~~[for senior citizens]~~ 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) Proof of status as 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 ~~[.]~~ ***or $6 per vehicle, whichever is greater.***

(b) For the use of the showers by a person not camping in the park..... The entrance fee for the park.

(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*** $10 per reservation ~~[per campsite, in addition to the camping fee or permit fee.]~~ ***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) For a passport permit ..... $100.

(f) To replace an annual permit, a

passport permit , ~~[or]~~ a permit for

senior citizens ***or a permit for***

disabled veterans ..... $10.

(g) For a permit to operate an

off-highway vehicle in a designated

area of a park..... $2 per off-highway vehicle.

(h) For the use of a campsite at

which a hook-up is available ..... $10 per vehicle.

(i) ~~[For entrance into a park for~~

~~which a fee is charged, an additional~~

~~fee for all vehicles not registered in~~

~~the State of Nevada]~~ ***For a resident***

of Nevada with proof of residency..... ***A discount of*** $2 per vehicle.

~~[3.]~~ ***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.

~~[4.]~~ *6.* For each day or partial day that a person engages in commercial photography in a park, 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
~~[2 to 5]~~ ***Class A: 1 to 3*** vehicles or ~~[6 to 25]~~ ***2 to 15*** persons	~~[$200]~~ ***$50***
~~[6 to 10]~~ ***Class B: 4 to 7*** vehicles or ~~[26 to 50]~~ ***16 to 30*** persons	~~[350]~~ ***200***
~~[11 to 15]~~ ***Class C: 8 to 11*** vehicles or ~~[51 to 75]~~ ***31 to 50*** persons	~~[500]~~ ***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

~~[The Division will waive the entrance fee for the park upon payment of the fee for a commercial use permit for photography.~~

~~5.]~~ ***7. A person may request an annual class A commercial photography permit. 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 photography;

(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 photography.

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 ~~[use permit for]~~ 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 ~~[receipt]~~ ***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 ~~[4.]~~ ***6 or 7.***

~~[6.]~~ ***10.*** The Division will not charge a fee ***, other than the entrance fee for the park,*** pursuant to this section for ~~[:~~

~~(a) Commercial photography engaged in by one to five persons in a single vehicle; or~~

~~(b) Photography]~~ ***photography*** engaged in for noncommercial, educational purposes, to promote the park or to report news in any form of media, including, without limitation, newspapers and television.

~~[7.]~~ ***11.*** If a user of a park does not deposit the required fee in the available self-service devices, the Division:

(a) Will charge the user a fee of ~~[$2]~~ ***$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.

~~[8.]~~ ***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.

~~[9.]~~ ***13.*** The Division will reduce by $1 any entrance fee established pursuant to this chapter charged to a person who holds a disability placard and presents it upon entrance to a park.

Sec. 9. NAC 407.055 is hereby amended to read as follows:

407.055 1. Except as otherwise provided in NAC 407.050 and 407.052, or unless waived, the Division will charge and collect the following fees for the use of parks:

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee	Miscellaneous Fees
Beaver Dam	$65	~~[$5]~~ ***$7***	$7	N/A	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$12]~~ ***the entrance fee*** per vehicle	
Berlin-Ichthyosaur	$65	~~[$5]~~ ***$7***	$10	N/A	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$15]~~ ***the entrance fee*** per vehicle	***Cabin rental: $25 per night plus the entrance and camping fees per vehicle*** Scheduled tour: $3 adults $2 children 6-12
Big Bend of the Colorado	$65	~~[$7]~~ ***$9***	$11 plus $10 per vehicle at campsites with utility hook-ups	$6	N/A	N/A	

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee	Miscellaneous Fees
Cathedral Gorge	$65	~~[$5]~~ *$7*	$10	N/A	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$15]~~ ***the entrance fee*** per vehicle	
Cave Lake	$65	~~[$5]~~ *$7*	$10	$2	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$15]~~ ***the entrance fee*** per vehicle	For use of the circular domed tent or yurt: $20 per night plus ~~[$15]~~ ***the entrance and camping fees*** per vehicle
~~[Dangberg Home Ranch Historic Park~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~	~~N/A~~	~~Tours: $3 adults children 12 and under free]~~
Dayton	$65	~~[$5]~~ *$7*	$10	N/A	$50 for 1 to 25 persons $75 for 26 to 50 persons $100 for 51 to 100 persons $150 for 101 to 150 persons $200 for 151 to 300 persons The entrance fee is reduced by the amount of any reservation fee paid by the group	N/A	
Echo Canyon	$65	~~[$5]~~ *$7*	$10	$3	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$15]~~ ***the entrance fee*** per vehicle	
Elgin School House	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: $1 adults children 12 and under free
Fort Churchill	$65	~~[$5]~~ *$7*	$10	N/A	$25 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$25 plus ~~[$15]~~ ***the entrance fee*** per vehicle	
Fort Churchill-Buckland Station	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: $1 adults children 12 and under free
Fort Churchill-Carson River Ranches	$0	~~[$5]~~ *$7*	$7	N/A	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$12]~~ ***the entrance fee*** per vehicle	

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee	Miscellaneous Fees
Kershaw-Ryan	$65	~~[$5]~~ ***$7***	$10	N/A	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	N/A	
Lahontan	$65	~~[$5]~~ ***$7***	$8	$7	$15 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$15 plus ~~[$13]~~ ***the entrance fee*** per vehicle	
Lake Tahoe: Cave Rock	~~[$100]~~ ***$85 for an annual permit or $200 for an annual boating permit***	~~[$8]~~ ***$10*** from April 15 through October 15 ~~[$5]~~ ***$7*** from October 16 through April 14 $2 for 15 min. photo stop $5 for launch and leave	N/A	$7	N/A	N/A	
Sand Harbor	~~[$100]~~ ***$85 for an annual permit or $200 for an annual boating permit***	~~[$10]~~ ***$12*** from April 15 through October 15 ~~[$5]~~ ***$7*** from October 16 through April 14 $5 for launch and leave	N/A	$8 from April 15 through October 15 $7 from October 16 through April 14	~~[$200 weekdays;]~~ $400 ~~[weekends and holidays;]~~ plus: ~~[$10 per vehicle from April 15 through October 15 $5]~~ ***the entrance fee*** per vehicle ~~[from October 16 through April 14]~~	N/A	
Spooner Lake	~~[$100]~~ ***$85 for an annual permit or $200 for an annual boating permit***	~~[$8]~~ ***$10 from April 15 through October 15 $7 from October 16 through April 14*** $2 per bike for vehicles with more than 4 bikes No entrance fee charged if the concession for cross-country skiing is in operation	N/A	N/A	N/A	N/A	***Cabin rental: $65 per night plus the entrance fee per vehicle No cabin rental fee charged if the concession for the cabins is in operation***

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee	Miscellaneous Fees
Mormon Station	N/A	N/A	N/A	N/A	$100 for 1 to 25 persons $150 for 26 to 50 persons $200 for 51 to 100 persons $250 for 101 to 150 persons $300 for 151 to 300 persons	N/A	Museum admission: $1 adults children 12 and under free
Old Las Vegas Mormon Fort	N/A	N/A	N/A	N/A	$100 for 2 to 100 persons $150 for 101 to 200 persons $200 for 201 to 250 persons	N/A	Museum admission: $1 adults children 12 and under free
Rye Patch	$65 ***for an annual permit or $100 for an annual boating permit***	~~[$5]~~ ***$7***	$7	$3	$20 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$20 plus ~~[$12]~~ ***the entrance fee*** per vehicle	
South Fork	$65 ***for an annual permit or $100 for an annual boating permit***	~~[$5]~~ ***$7***	$7	$3	~~[N/A]~~ ***$15 plus the entrance fee per vehicle***	$20 plus ~~[$12]~~ ***the entrance fee*** per vehicle	
Spring Mountain Ranch	$65	~~[$7]~~ ***$9***	N/A	N/A	$100 for 2 to 100 persons $200 for 101 to 200 persons plus ~~[$7]~~ ***the entrance fee*** per vehicle	N/A	
Spring Valley	$65	~~[$5]~~ ***$7***	$10	$3	$20 plus ~~[$5]~~ ***the entrance fee*** per vehicle	$20 plus ~~[$15]~~ ***the entrance fee*** per vehicle	
Valley of Fire	$75	~~[$8]~~ ***$10***	$10 plus $10 per vehicle at campsites with utility hook-ups	N/A	$25 plus ~~[$8]~~ ***the entrance fee*** per vehicle	$25 plus ~~[$18]~~ ***the entrance fee*** per vehicle	
Ward Charcoal Ovens	$65	~~[$5]~~ ***$7***	$7	N/A	N/A	$20 plus ~~[$12]~~ ***the entrance fee*** per vehicle	

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee	Miscellaneous Fees
Washoe Lake	$65	~~[$5]~~ *$7*	$10	$2	Equestrian Group Use $50 plus ~~[$5]~~ ***the entrance fee*** per vehicle Main Group Use $50 for 1 to 25 persons $75 for 26 to 50 persons $100 for 51 to 100 persons $150 for 101 to 150 persons $200 for 151 to 250 persons Plus ~~[$4]~~ ***the entrance fee*** per vehicle $50 to rent arena	Equestrian Group Use $50 plus ~~[$15]~~ ***the entrance fee*** per vehicle $50 for use of arena Main Group Use $50 for 1 to 25 persons $75 for 26 to 50 persons $100 for 51 to 100 persons $150 for 101 to 150 persons $200 for 151 to 250 persons Plus ~~[$14]~~ ***the entrance fee*** per vehicle	
Wild Horse	$65 ***for an annual permit or $100 for an annual boating permit***	~~[$5]~~ *$7*	$7	$3	N/A	$25 plus ~~[$12]~~ ***the entrance fee*** per vehicle	***Cabin rental: $30 per night plus the entrance and camping fees per vehicle***

2. 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. Except as otherwise provided in this subsection, the Division will charge and collect from each person who rides a bicycle or horse, walks or enters by vessel into a park an entrance fee of $1. The Division will charge and collect from each person who rides a bicycle into Spooner Management Area an entrance fee of $2.

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

5. The Division will charge, in addition to any other fee imposed pursuant to this chapter, a fee of $2 for each watercraft in excess of two that is launched from a boat ramp.

6. 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. 10. NAC 407.057 is hereby amended to read as follows:

407.057 ***1. The Administrator may, with the approval of the Director, waive fees and provide annual or daily permits without charge to organizations and natural persons to promote parks and recognize special events and programs.***

2. A park supervisor or regional manager in charge of a region in which a park is located may waive the fees for the use of a park under circumstances specified by the Administrator.