

LCB File No. R149-05

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

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

AUTHORITY: §§1-18, NRS 407.0475 and 407.065.

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. “Off-highway vehicle” means motorized ~~[vehicle used off the roads or highways of this state.]~~ *vehicles of any size operated or used exclusively off the highway of this state and which are not legally equipped for operation on the highways of this state.*

Sec. 3. *“Hook-ups” means electrical, water and/or sewer.*

Sec. 4. NAC 407.050 is hereby amended to read as follows:

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

- (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 submits the application;
(c) Pays a \$15 administrative fee; and
(d) Provides proof of his age and residence in Nevada to the Division.
(e) *Maintains a valid Nevada identification card issued by DMV or applicant has a Nevada driver’s license.*

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 *with the exception of hookups where \$10.00 will be charged per vehicle per night.*

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

- (a) For scheduled tours at Berlin-Ichthyosaur State Park and Old Las Vegas Mormon Fort..... \$3 for adults and \$2 for children between the ages of 6 and 12.

(b) 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.

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

(d) For making a camping reservation for individual campsites in a park designated by the Administrator \$10 per reservation per campsite, in addition to the camping fee or permit fee.

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

(f) For a passport permit..... \$90.

(g) To replace an annual permit, a passport permit or a permit for senior citizens.....\$10.

(h) For a permit to operate an off-highway vehicle in a designated area of a park\$2 per off-highway vehicle.

(i) For electrical, water and/or sewer hookups..... \$10

(j) For use of the yurt (a circular domed tent) at Ward Charcoal Ovens State Historic Park..... \$20.00 a night plus entrance and camping fee.

3. For commercial bus tours, the Division will charge and collect the established entrance fee or \$1 per person, whichever is greater, or the fee established by a special use permit. A special use permit may provide for monthly billings.

4. Before a person may engage in commercial photography in a park, he must apply for and obtain a commercial use permit for photography from the Division that authorizes him to do so. Except as otherwise provided in subsection 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
One vehicle with [more than 1 occupant, or 2 to] <i>up to</i> 5 persons	\$50
2 to 5 vehicles or 6 to 25 persons.....	200
6 to 10 vehicles or 26 to 50 persons.....	350
11 to 15 vehicles or 51 to 75 persons.....	500
16 to 20 vehicles or 76 to 100 persons.....	800
21 to 50 vehicles or 101 to 400 persons.....	2,100
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. A person who has obtained a commercial use permit for photography may request that the Division reserve a *section within a state* park for ~~[his]~~ *photography* use. Upon receipt of such a request, the Division will charge and collect a reservation fee of \$100. Such a reservation fee is in addition to any fee charged and collected pursuant to subsection 4.

6. The Division will not charge a fee pursuant to this section for:

- (a) Commercial photography engaged in by one person; or
- (b) 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. If a user of a park does not deposit the required fee in the available self-service devices, the Division will charge the user a fee of \$2 for collection service, in addition to other fees.

Reference to NRS 405.0832(f).

~~[8.— 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. 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. 5. NAC 407.052 is hereby amended to read as follows:

407.052 1. A person who applies for a multipurpose annual permit for Lahontan State Recreation Area will be issued such a permit upon payment of a fee of \$175. The permit authorizes the holder to enter, camp in, and boat in the area without paying the entrance, camping and boating fees imposed by NAC 407.055.

2. A person who applies for a multipurpose annual boating permit for the use of:

(a) Lake Tahoe Nevada State Park will be issued such a permit upon payment of a fee of \$175.

(b) ~~[Big Bend of the Colorado State Recreation Area,]~~ Rye Patch State Recreation Area or Washoe Lake State Park will be issued such a permit upon payment of a fee of \$90.

(c) Wild Horse and South Fork State Recreation Areas will be issued such a permit upon payment of a fee of \$90.

(d) Big Bend of the Colorado State Recreation Area will be issued such a permit upon payment of a fee of \$100.

3. A permit issued pursuant to subsection 2 authorizes the holder to enter and boat in the park or parks for which it is issued without paying the entrance and boating fees imposed by NAC 407.055.

Sec. 6. 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
Beaver Dam	[\$45] \$50	\$4	\$6	\$2	\$15 plus \$4 <i>per</i> vehicle	\$15 plus \$10 per vehicle
Berlin-Ichthyosaur	[\$45] \$50	\$4	\$8	N/A	\$15 plus \$4 per vehicle	\$15 plus \$12 per vehicle
Big Bend of the Colorado	[\$45] \$50	[\$4] \$5	[\$6] \$10	\$5	N/A	N/A
Cathedral Gorge	[\$45] \$50	\$4	\$10	N/A	\$15 plus \$4 per vehicle	\$15 plus \$14 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
Cave Lake	[\$45] \$50	\$4	\$10	\$2	\$15 plus \$4 per vehicle	\$15 plus \$14 per vehicle
Dayton	[\$45] \$50	[\$3] \$4	\$10	N/A	For 1 to [50] 25 persons, [\$30 per vehicle] \$50 For [51] 26 to [100] 50 persons, [\$50 per vehicle] \$75 For [101] 51 to [200] 100 persons, \$100 [per vehicle] <i>For 101 to 150 persons, \$150</i> <i>For 151 to 300 persons, \$200</i> [For 201 or more people, per special-use permit] <i>Reservation fee includes per vehicle entrance fee</i>	N/A
Echo Canyon	[\$45] \$50	\$4	\$6	\$2	\$15 plus \$4 per vehicle	\$15 plus \$10 per vehicle
Floyd R. Lamb State Park	\$60	\$6	N/A	N/A	75 for 2 to 100 persons \$150 for 101 to 200 persons \$200 for 201 to 300 persons \$350 for 301 to 400 persons \$500 for 401 to 500 persons Plus \$200 for each additional 100 persons plus \$6 per vehicle	N/A
Fort Churchill	[\$45] \$50	\$4	\$8	N/A	\$25 plus \$4 per vehicle	\$25 plus \$12 per vehicle
<i>Fort Churchill – Carson River Ranches</i>		\$4	\$6	N/A	\$15 plus \$4 per vehicle	\$15 plus \$10 per vehicle
Kershaw-Ryan	[\$45] \$50	\$4	\$10	N/A	\$15 plus \$4 per vehicle	N/A
Lahontan	\$60	[\$4] \$5	[\$6] \$5	[\$4] \$5	\$15 plus [\$4] \$5 per vehicle	\$15 plus \$10 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
Lake Tahoe: Cave Rock	\$75	\$6 from {May 1} <i>April 15</i> through {September 30} <i>October 15</i> \$2 from {October 1} <i>October 16</i> through {April 30} <i>April 14</i> \$2 for 15 min. photo stop \$2 for launch and leave	N/A	\$6	N/A	N/A
Sand Harbor	\$75	\$8 from {May 1} <i>April 15</i> through {September 30} <i>October 15</i> \$4 from {October 1} <i>October 16</i> through {April 30} <i>April 14</i> \$2 for launch and leave	N/A	\$7 from {May 1} <i>April 15</i> through {September 15} <i>October 15</i> \$6 from {October 1} <i>October 16</i> through {April 30} <i>April 14</i>	100 <i>200</i> weekdays 200 <i>400</i> weekends and holidays plus: \$8 per vehicle from {May 1} <i>April 15</i> through {September 30} <i>October 15</i> \$4 per vehicle from {October 1} <i>October 16</i> through {April 30} <i>April 14</i>	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
Spooner Lake	\$75	\$6 \$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
Mormon Station	\$0	<i>Museum fee is \$2.00 per person (12 yrs and up), Children under 12 free</i>	N/A	N/A	\$100 for 1 to 50 <i>25</i> persons \$150 for 51 <i>25</i> to 100 <i>50</i> persons \$200 for 101 <i>51</i> to 150 <i>100</i> persons \$250 for 151 <i>100</i> to 250 <i>150</i> persons Limit 250 persons <i>\$300 for 150 to 300 persons</i>	N/A
Old Las Vegas Mormon Fort	\$0	\$3 per person Children 6-12 - \$2 Children 5 and under free	N/A	N/A	N/A	<i>\$100 for 2 to 100 persons \$150 for 101 to 200 persons \$200 for 201 to 250 persons</i>
Rye Patch	45 <i>\$50</i>	\$4	\$6	\$4	\$20 plus \$4 per vehicle	\$20 plus \$10 per vehicle
South Fork	45 <i>\$50</i>	\$4	\$6	\$3	N/A	\$20 plus \$10 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
Spring Mountain Ranch	\$50 \$50	[\$6] \$5	N/A	N/A	For use from 9 a.m. until 6 p.m.: \$100 for 2 to 100 persons \$200 for 101 to 200 persons \$300 for 201 to 300 persons \$400 for 301 to 400 persons \$500 for 401 to 500 persons \$600 for 501 to 600 persons \$700 for 601 to 700 persons \$800 for 701 to 800 persons Per special use permit for 801 or more persons plus [\$6] \$5 per vehicle For use from 6:00 p.m. until 10:00 p.m.: \$300 for 2 to 100 persons \$600 for 101 to 200 persons \$900 for 201 to 300 persons Plus [\$6] \$5 per vehicle Limit 300 persons	N/A
Spring Valley	[\$45] \$50	-\$4	\$10	\$2	\$20 plus \$4 per vehicle	-\$20 plus \$14 per vehicle
Valley of Fire	\$60	-\$6	\$8	N/A	\$75 plus \$6 per vehicle	\$75 plus \$6 per vehicle
Ward Charcoal Oven	[\$45] \$50	-\$4	\$6	N/A	N/A	[\$15] \$20 plus [\$9] \$10 per vehicle
Washoe Lake	[\$45] \$50	\$4	[\$8] \$10	\$2	Equestrian Group Use [\$30] \$50 plus \$4 per vehicle Main Group Use [\$30 plus \$4 per vehicle] \$50 for 1-25 people \$75 for 26-50 people \$100 for 51-100 people \$150 for 101-150 people \$200 for 151-250 people	Equestrian Group Use [\$30 plus \$9 per vehicle] \$50 plus \$15 (includes corral) per vehicle Main Group Use [\$30 plus \$12 per vehicle] \$50 for 1-25 people \$75 for 26-50 people \$100 for 51-100 people

Park	Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Wild Horse	[\$45] \$50	\$4	[\$8] \$6	\$2	N/A <i>Plus \$4 per vehicle Arena Area Rental of \$50</i>	<i>\$150 for 101-150 people \$200 for 151-250 people Plus \$14 per vehicle Arena Area Rental of \$50</i> \$25 plus [\$12] \$10 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 he also pays the ~~boating or~~ 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 or who walks 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. Except as otherwise provided in this subsection, the Division will not charge a fee for any vehicle that is towed into a park to provide transportation within the park. If a person tows more than one vehicle into a park, the Division will charge a fee for each additional vehicle towed into the 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 transported into the park by a single vehicle and pursuant to a single boating permit.

6. The Division will charge, in addition to any other fee for a special use permit or commercial use permit, an administrative processing fee of:

(a) If the date the application for the permit is submitted to the Division is more than 30 days before the event, \$25.

(b) If the date the application for the permit is submitted to the Division is 14 to 30 days before the event, \$50.

(c) If the date the application for the permit is submitted to the Division is less than 14 days before the event, \$100.

(d) If an application for the permit is submitted to the Division more than once as a result of errors made by the applicant in the application, \$25 each time the application is resubmitted.

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. 7. NAC 407.082 is hereby amended to read as follows:

NAC 407.082. Use of park without paying fee.

1. Unless the fee is waived pursuant to NAC 407.057, no person may:

(a) Enter, use or occupy any portion of a park for which an entrance fee has been established by the Administrator unless he has first paid the fee.

(b) Camp, occupy a cabin or moor a vessel in a portion of a park after the closing time or before the opening time for that portion of the park unless he has first paid the fee, *reference to NRS 205.0832.1(h)*.

2. This section does not apply to persons exempted by the Administrator, the Chief of Operations and Maintenance, or the regional manager of the region in which the park is located.

Sec. 8. NAC 407.085 is hereby amended to read as follows:

407.085 Use of park for organized activity, event or other purpose. Unless authorized pursuant to a special use permit, a person shall not use a park for any organized activity, *weddings*, event or other purpose, if such use of the park:

1. Involves the exclusive use of a facility of the park that is not allocated for the activity or event;

2. Involves the interruption of normal recreational activity;

3. Presents a potential for public liability or hazardous consequences not present in the normal recreational patterns of the park;

4. Requires additional services, facilities or equipment that are not normally provided to the general public;

5. Is not recognized as a valid recreational use of the park; or

6. Involves an organized or promoted assembly of more than 20 persons.

Sec. 9. NAC 407.090 is hereby amended to read as follows:

407.090. Fires; firewood or other combustibles.

1. In a park, no person may light, build or maintain a fire:
 - (a) Except in a portable stove, a barbecue or a fireplace; or
 - (b) On the ground, unless the fire is in an enclosure provided by the Division or approved by the supervisor of the park.
2. Firewood or other combustibles must be contained within the rims of grills or stoves provided by the Division. Any material to be burned must not be longer than 22 inches *and must not contain nails, screws, fasteners, or other metal objects.*

Sec. 10. NAC 407.105 is hereby amended to read as follows:

407.105 Possession or use of weapons.

1. In any park, a person shall not:
 - (a) Use a bow and arrow, slingshot or paint ball launcher;
 - (b) Possess a firearm, unless it is unloaded and inside a vehicle; *the provision of NAC 407.105 section b, do not apply to a person who is properly permitted or exempted from a requirement to possess a permit to carry a concealed weapon pursuant to NRS 202.350, section 4.*
 - (c) Discharge a weapon, including, without limitation, an air rifle, spring gun or air pistol; or
 - (d) Throw a knife, hatchet, spear, stone or projectile,except as authorized by the Administrator.

Sec. 11. NAC 407.107 is hereby amended to read as follows:

NAC 407.107 Disturbing or injuring wildlife. Except when hunting in accordance with the regulations of the Department of Wildlife, no person may disturb, *feed*, injure or kill any wildlife within a park.

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

NAC 407.145 Curfew.

1. The ranger in charge of a region 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 he 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 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.

3. At no time will a child under the age of 15 be left unattended in a park without supervision of an adult at least 18 years of age.

Sec. 13. NAC 407.260

NAC 407.260 Floyd R. Lamb State Park. Within the Floyd R. Lamb State Park, a person shall not:

1. Swim, wade or engage in other aquatic sports, except fishing, in any lake;

2. Swim, wade or engage in other aquatic sports or loiter in or near any irrigation canal;

3. Play baseball, softball, golf or pitch horseshoes on the grass;

4. Use any area for a musical concert without the permission of the Supervisor of the Park;

5. Operate a powered model boat or aircraft within the park, except as authorized by the Supervisor of the Park;

6. Use a powered or nonpowered boat on a lake;

7. Operate a bicycle or skateboard in excess of a reasonable speed or otherwise in a manner that jeopardizes the safety of others; or

8. Bring a group of more than 25 persons into the park without a group reservation.

9. Bring or have glass containers in the park.

Sec. 14 NAC 407.285 is hereby amended to read as follows:

407.285 Within Kershaw-Ryan State Park, a person shall not:

~~1. Pitch horseshoes on an area covered with grass;~~

~~1. [2].~~ Allow an animal to enter the pond;

~~2. [3].~~ If he is under 16 years of age, enter the pond without the supervision of an adult; or

~~3. [4].~~ Camp for more than 7 days in any 30-day period.

Sec. 15. NAC 407.302 is hereby amended to read as follows:

407.302 Within the Sand Harbor Management Area:

1. A person shall not:

(a) Tie a boat or other watercraft to the shoreline with more than 6 feet of line extending up to the beach;

(b) Bring a pet or other domestic animal into the Management Area;

(c) Barbecue on any beachfront area;

(d) Operate a hard-bottom boat within any area marked with buoys or other distinguishing devices as closed to boats;

(e) Bring fuel used for the operation of a boat or other watercraft onto a beach, unless the fuel is contained in a spill-proof container and the area of water adjacent to the beach is designated for boating; or

(f) Without approval of the ranger in charge of the Management Area, bring recreational equipment of a nonpersonal nature into the Management Area, including, without limitation, dunk tanks, climbing walls, trampolines or floating devices.

2. Watercraft operated in an area controlled by the Division must:

(a) Be attended;

(b) Be anchored at least 50 feet from the shore from 9 p.m. until 7 a.m.;

(c) Be removed from the water before fueling; and

(d) Not be located in the area for more than 3 nights in a 14-day period.

(e) Not be loaded onto trailers using props when the lake level drops below 6225 in elevation. Watercraft operators must use electric or hand winches to load vessels onto a trailer once the pool elevation of the lake is at or below 6225 feet.

3. Each person who scuba dives shall:

(a) Obtain prior approval from the Supervisor of the Management Area before diving after the normal operating hours of the Management Area.

(b) Not dive in an area unless it is an area designated for diving.

Sec. 16. NAC 407.308 is hereby amended to read as follows:

NAC 407.308 Marlette and Hobart Management Areas. Within the Marlette Management Area or the Hobart Management Area:

1. A horse or other animal used for riding or carrying food or equipment must not:

(a) Enter or travel in any meadow, glade or grove of aspen;

- (b) Graze in the watershed of the Marlette or Hobart Management Area; or
- (c) Be within 200 feet of the water of the Hobart Reservoir.

2. A person shall not operate a motorized vehicle unless he has been issued a backcountry permit by the Supervisor of the Lake Tahoe Nevada State Park, except that an employee of:

- (a) The State Department of Conservation and Natural Resources;
- (b) The Buildings and Grounds Division of the Department of Administration; or
- (c) The United States Forest Service,

may operate such a vehicle in the performance of his official duties.

3. A person shall not ride a bicycle except on a trail designated as approved for use by bicycles

4. The management area will be classified and managed as a state primitive area. No motorized vehicles will be allowed with the exception of those operated by persons who have been issued a special permit.

Sec. 17. NAC 407.350 is hereby amended to read as follows:

NAC 407.350 Valley of Fire State Park. Within the Valley of Fire State Park, a person shall not use any pitons, chocks, or other such climbing devices or any magnesium carbonate chalk in climbing the formations, except for *emergency* rescue operations. *The park supervisor may designate areas in the park where climbing can occur. Climbing equipment will be limited to ropes, carabineers, web belts, webbing, and cushioning materials, unless otherwise approved by the park supervisor..*

Sec. 18. Chapter 407 of NAC is hereby amended by adding thereto a new section to read as follows: *Nudity is prohibited in all areas administered or controlled by the Division of State Parks. Nudity has the meaning ascribed in NRS 201.261. This statute does not apply to breastfeeding mothers as exempt in NRS 201.220 and 201.232.*