

LCB File No. R118-01

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

September 3, 2001

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

AUTHORITY: NRS 407.0475

Section 1. Chapter 407 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this regulation.

Sec. 2. *"Passport Entrance Permit" defined. Means a permit which, for a calendar year, authorizes the holder to enter and use facilities in all state parks statewide without paying the entrance fee imposed pursuant to NAC 407.055. Permit does not include camping, boating and special events.*

Sec. 3. *"Commercial Use" defined. Means a use or purpose designed for profit, which includes the exchange or buying and selling of commodities, or the providing of services related to or connected with trade, traffic or commerce in general.*

Sec. 4. *"Special Use Permit" defined. Means a written permit to public or private organizations or an individual for special events and short term or small business ventures, which are consistent with the park's resources, management and visitation. The permit establishes approval conditions, and fees for the approved activities pursuant to NAC 407.085 and 407.088.*

Sec. 5. *Park Hours. The Administrator may establish closing hours and opening hours for a state park or any portion of a state park. Opening and closing hours shall be posted. Except for persons duly authorized to camp or use cabin facilities, no person shall enter or remain within a state park between closing and opening hours.*

Sec. 6. *Disregard of Lawful Order. It is illegal for any person to disregard the lawful order of a public employee of the Division of State Parks.*

Sec. 7. *Glass Beverage Container on all Beaches or Waterfront Areas. No person will bring or possess any glass beverage container on any beach or waterfront area in any state park or state recreation area.*

Sec. 8. NAC 407.050 is hereby amended to read as follows:

NAC 407.050 Permits for senior citizen and commercial photography; miscellaneous fees (NRS 407.0475,407.065)

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 \$10 administrative fee; and
- (d) Provides proof of age and resident in Nevada to the division. A permit for senior citizens authorizes the holder to enter, camp in and boat in all parks.

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

- (a) For scheduled tours at Berlin Ichthyosaur State Park and Mormon Station State Historic Park.....\$2 for adults and \$1 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 ~~[\$3]~~ \$5 per vehicle, whichever is greater
- (c) 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 \$3 per vehicle, whichever is greater/
- (d) For making a camping reservation for individual campsite.....~~[\$5]~~ \$10 per reservation per campsite, in addition to the camping fee or permit, *in selected state parks designated by the Administrator.*
- (e) For the reservation of stage areas.....The fee established by agreement or a special use permit, or both.

3. The division will charge and collect ~~[for using any commercial vehicle, including, without limitation, a bus, in any park]~~ *the established entrance fee or*, \$1 per person ~~[or the entrance fee for the park]~~, 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 permit from the division that authorizes him to do so. Except as otherwise provided in subsection 5, 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 5 persons	\$40
2 to 5 vehicles or 6 to 25 persons.....	150
6 to 10 vehicles or 26 to 50 persons.....	300
11 to 15 vehicles or 51 to 75 persons.....	400
16 to 20 vehicles or 76 to 100 persons.....	500
21 to 50 vehicles or 101 to 400 persons.....	2,000
More than 50 vehicles or more than 400 persons.....	3,000

The division will waive the entrance fee for the park upon payment of the fee for commercial photography.

5. 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.

6. 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.

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

8. An annual "passport permit" fee will be \$75.00.

9. The Disability Discount will be \$1.00 off the entrance fee for disability placard holders.

10. All off road vehicles (ORV's) and/or all terrain vehicles (ATV's) will be charged \$2.00 at the Valley of Fire State Park primitive access area.

11. At Lake Tahoe Nevada State Park-Sand Harbor, the entrance fee will be \$3.00 between October- April.

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

NAC 407.055 Fees for use of parks (NRS 407.0475 407.065) .

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

Park	Annual Entrance \$	{Season}	Entrance \$ Per Vehicle	Camping \$ Per Vehicle ²	Boating \$ Per Vehicle ²	Group Entrance \$	Group Entrance and Camping \$
Beaver Dam	\$35 ¹	{Apr-1-Nov-15} {Nov-16-Mar-31}	\$3 {1}	{5} \$6 {3}	\$2 {N/A}	\$15+\$3/Vehicle {15+\$1/Vehiele}	\$15+ {8} \$9 /Vehicle {15+\$4/Vehiele}
Berlin-Ichthyosaur	\$30	{Apr-1-Oct-31} {Nov-1-Mar-31}	\$3 {1}	{7} \$8 {3}	N/A {N/A}	\$15+\$3/Vehicle {N/A}	\$15+ {10} \$11 /Vehicle {15+\$4/Vehiele}
Big Bend of the Colorado	\$30	{All-Year}	\$3	{5} \$6	\$5	N/A	N/A
Cathedral Gorge	\$35 ¹	{Apr-1-Nov-15} {Nov-16-Mar-31}	\$3 {1}	{9} \$10 {3}	N/A {N/A}	\$15+\$3/Vehicle {15+\$1/Vehiele}	\$15+ {12} \$13 /Vehicle {15+\$4/Vehiele}
Cave Lake	\$30 ³	{Apr-1-Nov-30} {Dec-1-Mar-31}	\$3 {2}	{9} \$10 {3}	\$2 {1}	\$15+\$3/Vehicle {15+\$2/vehiele}	\$15+ {12} \$13 /Vehicle {15+\$5/Vehiele}
Dayton	\$30	{All-Year}	{1} \$2	{9} \$10	N/A	\$30+\$1/Vehicle	N/A
Echo Canyon	\$35 ¹	{Apr-15-Oct-31} {Nov-1-Apr-14}	\$3 {2}	{5} \$6 {3}	\$2 {N/A}	\$15+\$3/Vehicle {15+\$2/Vehiele}	\$15+ {8} \$9 /Vehicle {15+\$5/Vehiele}
Floyd Lamb	\$45	{All-Year}	\$5	N/A	N/A	\$50 for 2-100 persons \$100 for 101-200 persons \$150 for 201-300 persons \$250 for 301-400 persons \$500 for 401-500 persons Plus \$100 for each additional 100 persons+\$5/Vehicle	N/A
Fort Churchill	\$30	{Apr-1-Oct-31} {Nov-1-Mar-31}	\$3 {1}	{7} \$8 {3}	{N/A} {N/A}	\$25+\$3/Vehicle {15+\$1/Vehiele}	\$25+ {10} \$11 /Vehicle {15+\$4/Vehiele}
Kershaw-Ryan	\$35 ¹	{All-year}	\$3	{5} \$6	N/A	\$15 plus \$3/Vehicle	N/A

Park	Annual Entrance \$	{Season}	Entrance \$ Per Vehicle	Camping \$ Per Vehicle ²	Boating \$ Per Vehicle ²	Group Entrance \$	Group Entrance and Camping \$
Lahontan	\$35	{Apr 1-Oct 31} {Nov 1-Mar 31}	\$3 {\$1}	{\$5} \$6 {\$3}	\$2 {\$1}	\$15+\$3/Vehicle {\$15+\$1/Vehicle}	\$15+{\$8} \$9/Vehicle {\$15+\$4/Vehicle}
Lake Tahoe - Cave Rock	\$75	{Apr 1-Sept 30}	\$5 \$2 for 15 min photo stop \$2 for launch & leave	N/A	\$5	N/A	N/A
		{Oct 1-Mar 31}	{\$2}	{N/A}	{\$5}	{N/A}	{N/A}
Sand Harbor		{Apr 1-Sept 30}	\$6 \$2 for launch & leave	N/A	\$6	{\$75} \$100 weekdays {\$150} \$200 weekends and holidays+\$6/Vehicle	N/A
		{Oct 1-Mar 31}	{\$2}	{N/A}	{\$5}	{\$25+\$2/Vehicle}	{N/A}
Spooner Lake		{Apr 1-Oct 31}	\$5 \$2 per bike for vehicle with more than 4 bikes	N/A	N/A	{\$30+\$5/Vehicle} N/A	N/A
		{Nov 1-Mar 31}	-\$3 No entrance fee charged if the concession for cross-country skiing is in operation	{N/A}	{N/A}	{\$15+\$3/Vehicle} Area not available during ski-concession season }	{N/A}
Mormon Station	{No Annual Permit}	{May 1-Oct 31}	N/A	N/A	N/A	\$100 for 1-50 persons \$150 for 51-100 persons \$200 for 101-150 persons \$250 for 151-250 persons Limit 250 persons	N/A
		{Nov 1-Apr 30}	{Closed}	{N/A}	{N/A}	{Closed}	{N/A}
Old L.V. Mormon Fort	{No Annual Permit}	{All-Year}	\$2 per person, ages 6-12-\$1.00 5 and under-free	N/A	N/A	N/A	N/A
Rye Patch	\$30	{Mar 1-Oct 31} {Nov 1-Feb 29}	\$3 {\$1}	{\$5} \$6 {\$3}	\$2 {\$1}	\$15+\$3/Vehicle {\$15+\$1/Vehicle}	\$15+{\$8} \$9/Vehicle {\$15+\$4/Vehicle}
South Fork	\$35	{All-Year}	\$3	{\$5} \$6	\$2	N/A	\$20+{\$8} \$9/Vehicle
Spring Mountain Ranch	\$35	{All-Year}	\$5	N/A	N/A	\$50 for 2-100 persons \$100 for 101-200 persons \$150 for 201-300 persons \$250 for 301-400 persons \$500 for 401-500 persons Plus \$100 for each additional 100 persons+\$5/Vehicle	N/A
Spring Valley	\$35 ¹	{Mar 1-Nov 30} {Dec 1-Feb 29}	\$3 {\$1}	{\$9} \$10 {\$3}	\$2 {\$1}	\$15+\$3/Vehicle {\$15+\$1/Vehicle}	\$15+{\$12} \$13/Vehicle {\$15+\$4/Vehicle}
Valley of Fire	\$35	{All-Year}	\$5	{\$7} \$8	N/A	{\$30+\$5/Vehicle} \$50+\$5/Vehicle	{\$30+\$12/Vehicle} \$50+\$5/Vehicle
Ward Charcoal Oven	\$30 ³	{Apr 1-Nov 30} {Dec 1-Mar 31}	\$3 {\$1}	{\$5} \$6 {\$3}	N/A {N/A}	N/A {N/A}	\$15+{\$8} \$9/Vehicle {\$15+\$4/Vehicle}
Washoe Lake	\$30	{All-Year}	\$3	{\$7} \$8	\$2	Equestrian Area \$30+\$3/Vehicle Main Area \$30+\$3/Vehicle	Equestrian Area \$30+\$8/Vehicle Main Area \$30+{\$10} \$11/Vehicle
Wild Horse	\$30	{All-Year}	\$3	{\$7} \$8	\$2	N/A	\$20+{\$10} \$11/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. 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:

(a) ~~[Three dollars per day for each rental of a boat slip at Cave Lake State Park or Spring Valley State Park;]~~

(b) ~~[Six dollars for each boat anchored overnight in Sand Harbor, and]~~

(c) Two dollars for each watercraft in excess of two that is transported into the park by a single vehicle and pursuant to a single boating permit.

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

NAC 407.057 Waiver and adjustment of fees. (NRS 407.047, 407.0475, 407.065)

The administrator, the chief of operations and maintenance, or the ranger in charge of a region in which a park is located may waive the fees for the use of a park for any purpose he considers appropriate. The administrator may adjust fees for the use of a park for any purpose he considers appropriate. *Replacement cost for passport, annual, and senior permits will be \$10.00.*

Sec. 11. NAC 407.085 is hereby amended to read as follows:

NAC 407.085. Use of park in exclusive, interruptive or abnormal manner. (NRS 407.0475, 407.065). Unless authorized pursuant to a special use permit, a person shall not use a park for any organized activity, *special* 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; or
5. Is not recognized as a valid recreational use of the park.
6. *Involves an organized or promoted assembly of more than 20 persons, unless approved by the supervisor of the park.*

Sec. 12. NAC 407.105 hereby amended to read as follows:

NAC 407.105. Possession or use of weapons (NRS 407.0475,4097.065)

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;
 - (c) Discharge a weapon, including, without limitation, an air rifle, spring gun or air pistol; or except as authorized by the administrator.
 - (d) Throw a knife, hatchet, spear, stone or projectile, except as authorized by the administrator.
 - (e) *Bow fish within 100 feet of a swimmer or bather as defined by NRS 488.*
2. The administrator may designate zones in which a person may, for the purposes of hunting a species that is designated by the board of wildlife commissioners as a game mammal or game bird pursuant to chapter 503 of NAC, carry and discharge a firearm or bow in accordance with the regulations of the division of wildlife of the state department of conservation and natural resources. At each park in which a zone is designated pursuant to this subsection, the ranger in charge of the region or the supervisor of the park shall post at the headquarters of the park and at each area within the park which is designated as a zone in which a person may carry and discharge a firearm or bow for the purposes of hunting, maps of the designated zones within the at park.
3. Target shooting is prohibited in all areas of a park, except in an area designated as firing range.

Sec. 13. NAC 407.302 hereby amended to read as follows:

NAC 407.302. Sand Harbor Management Area. (NRS 407.0475; 407.065) 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 ~~the~~ any area ~~designated for swimming~~ *marked with buoys or signs as being closed to boats;*
 - (e) ~~Disregard the lawful order of a ranger, lifeguard or member of a beach patrol;~~ or
 - (f) 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 designed for boating.
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.
3. Each person who scuba dives shall:
 - (a) Obtain prior approval from the supervisor of the park before diving after the normal operating hours of the park.
 - (b) Not dive in an area unless it is an area designated for diving.

Sec. 14. NAC 407.308 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 *or she* 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 mountain bike except on a designated signed trail approved for use by mountain bikes.

Sec. 15. NAC 407.350 hereby amended to read as follows:

NAC 407.350. Valley of Fire State Park.

1. Within Valley of Fire State Park, no person may use any pitons, chocks, or other such climbing devices or any magnesium carbonate chalk in climbing the formation, except for rescue operations.

2. Within the primitive area of Valley of Fire State Park:

(a) The operation of off-road vehicles (ORV's) and all terrain vehicles (ATV's) is permitted. A person shall not:

- (1) Operate the ORV/ATV off of the designated routes;*
- (2) Operate any ORV in a manner that jeopardizes the safety of others. Operators must maintain less than 20 mph, or slower depending on the conditions;*
- (3) Leave any vehicle, trailer, or other property overnight or after dark without the prior approval of the Valley of Fire park supervisor.*

(b) All persons must have one of the following in their possession:

- (1) Annual permit;*
- (2) Senior citizen permit;*
- (3) Day use vehicle entry receipt, or*
- (4) A special use permit authorized by the park supervisor.*