

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

LCB File No. R083-13

Effective January 1, 2014

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.

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; allowing pets and other domestic animals in the Sand Harbor Management Area between October 16 and April 14 of each year; 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 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 an annual permit has been issued for the use of the:*

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

Sec. 4. *A person to whom an annual boating permit has been issued for the use of the:*

1. Sand Harbor Management Area, Spooner Management Area or Cave Rock Management Area may enter and boat in any 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 any 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) *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 ~~H~~ *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~~ *a resident of Nevada with proof of residency* *A discount of* \$2 per vehicle.

~~3.1~~ **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.

~~4.1~~ **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} <i>Class A: 1 to 3</i> vehicles or {6 to 25} <i>2 to 15</i> persons	200 <i>50</i>
{6 to 10} <i>Class B: 4 to 7</i> vehicles or {26 to 50} <i>16 to 30</i> persons	350 <i>200</i>
{11 to 15} <i>Class C: 8 to 11</i> vehicles or {51 to 75} <i>31 to 50</i> persons	500 <i>350</i>
<i>Class D: 12 to 15 vehicles or 51 to 75 persons</i>	<i>500</i>
<i>Class E: 16 to 20 vehicles or 76 to 100 persons</i>	<i>800</i>
<i>Class F: 21 to 50 vehicles or 101 to 400 persons</i>	<i>2,100</i>
<i>Class G: More than 50 vehicles or more than 400 persons</i>	<i>3,500</i>

~~{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.

~~17.1~~ **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 ~~19.1~~ **\$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.

~~18.1~~ **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.

~~19.1~~ **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 407.052 is hereby amended to read as follows:

407.052 1. A person who applies for a multipurpose annual permit for the use of:

(a) Lahontan State Recreation Area will be issued such a permit upon payment of a fee of \$200.

(b) South Fork State Recreation Area, Rye Patch State Recreation Area and Wild Horse State Recreation Area will be issued such a permit upon payment of a fee of \$150.

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 \$200.

(b) ~~Rye Patch State Recreation Area or~~ Washoe Lake State Park will be issued such a permit upon payment of a fee of \$100.

(c) ~~Wild Horse and South Fork State Recreation Areas will be issued such a permit upon payment of a fee of \$100.~~

~~(d)~~ Big Bend of the Colorado State Recreation Area will be issued such a permit upon payment of a fee of \$125.

3. A permit issued pursuant to subsection 1 authorizes the holder of the permit to enter, camp in and boat in the park *or parks* for which it is issued without paying the entrance, camping and boating fees imposed by NAC 407.055.

4. A permit issued pursuant to subsection 2 authorizes the holder of the permit 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. 10. 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	15 \$7	\$7	N/A	\$15 plus 5 the entrance fee per vehicle	\$15 plus 12 the entrance fee per vehicle	
Berlin-Ichthyosaur	\$65	15 \$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	\$\$\$ \$7	\$10	N/A	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	
Cave Lake	\$65	\$\$\$ \$7	\$10	\$2	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	For use of the circular domed tent or yurt: \$20 per night plus \$\$\$ <i>the entrance and camping fees</i> 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	\$\$\$ \$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	\$\$\$ \$7	\$10	\$3	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$15 plus \$\$\$ <i>the entrance fee</i> 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	\$\$\$ \$7	\$10	N/A	\$25 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$25 plus \$\$\$ <i>the entrance fee</i> 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	\$\$\$ \$7	\$7	N/A	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	
Kershaw-Ryan	\$65	\$\$\$ \$7	\$10	N/A	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	N/A	
Lahontan	\$65	\$\$\$ \$7	\$8	\$7	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	\$15 plus \$\$\$ <i>the entrance fee</i> per vehicle	
Lake Tahoe:							

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
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
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

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
Rye Patch	\$65 <i>for an annual permit or \$100 for an annual boating permit</i>	+\$5 \$7	\$7	\$3	\$20 plus +\$5 <i>the entrance fee</i> per vehicle	\$20 plus +\$12 <i>the entrance fee</i> per vehicle	
South Fork	\$65 <i>for an annual permit or \$100 for an annual boating permit</i>	+\$5 \$7	\$7	\$3	N/A \$15 plus <i>the entrance fee</i> per vehicle	\$20 plus +\$12 <i>the entrance fee</i> 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 <i>the entrance fee</i> per vehicle	N/A	
Spring Valley	\$65	+\$5 \$7	\$10	\$3	\$20 plus +\$5 <i>the entrance fee</i> per vehicle	\$20 plus +\$15 <i>the entrance fee</i> per vehicle	
Valley of Fire	\$75	+\$8 \$10	\$10 plus \$10 per vehicle at campsites with utility hook-ups	N/A	\$25 plus +\$8 <i>the entrance fee</i> per vehicle	\$25 plus +\$18 <i>the entrance fee</i> per vehicle	
Ward Charcoal Ovens	\$65	+\$5 \$7	\$7	N/A	N/A	\$20 plus +\$12 <i>the entrance fee</i> per vehicle	
Washoe Lake	\$65	+\$5 \$7	\$10	\$2	Equestrian Group Use \$50 plus +\$5 <i>the entrance fee</i> 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 <i>the entrance fee</i> per vehicle \$50 to rent arena	Equestrian Group Use \$50 plus +\$15 <i>the entrance fee</i> 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 <i>the entrance fee</i> 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
Wild Horse	\$65 <i>for an annual permit or \$100 for an annual boating permit</i>	\$51 \$7	\$7	\$3	N/A	\$25 plus \$121 the entrance fee per vehicle	<i>Cabin rental: \$30 per night plus the entrance and camping fees per vehicle</i>

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. 11. 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.

Sec. 12. 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 ~~§~~ *during the period beginning on April 15 and ending on October 15 of each year;*

(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) Engage the propeller of an engine-driven boat or other watercraft to load the craft onto a trailer if the pool elevation of the lake is at or below 6,225 feet above sea level.

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

(a) Be attended;

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

(c) Not be moored or anchored during hours that are not the operating hours of the Management Area.

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. 13. This regulation becomes effective on January 1, 2014.

NOTICE OF ADOPTION OF REGULATION

The Nevada Division of State Parks, adopted regulations assigned LCB File No. R083-13 which pertain to Chapter 407 for the Nevada Administrative Code on December 3, 2014, to be effective January 1, 2014. A copy of the regulations as adopted is attached hereto.

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS 233B.066 LCB FILE R-083-13

1. A clear and concise explanation of the need for the adopted regulation.

The majority of the proposed changes are clarification of existing language to park permits. One clarification included resident/non-resident fee explanation. Residents responded more positively to receiving a \$2.00 discount as proposed to non-residents paying an additional \$2.00. Change in language only, no change to existing fee structure. The proposed changes to commercial photography were a result of discussions with photographers in Las Vegas during the workshop. During the workshop State Parks developed the proposed changes that the photographers and State Parks agreed on. Permits for disabled veterans was proposed as a result of frequent requests by the public for discounted use of parks for veterans as occurs in other state park systems. Based on visitor complaints regarding noise and disturbance created by uncontrolled number of helicopters associated with tours and wedding parties at state parks a non-emergency aircraft fee was introduced. The collection surcharge amount of \$2.00 was not sufficient deterrent to encourage users to use self-pay system. An increase to \$10.00 is anticipated to increase self-pay compliance. Waiver of fees by the Administrator for non-profits, charity events, school groups, etc. has been granted in the past with no written authority to do so.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and emailed to persons who were known to have an interest in the subject of commercial photography and Nevada veteran's disability as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Division of State Parks, www.parks.nv.gov, website of the Legislative Counsel Bureau, <http://leg.state.nv.us/App/Notice/A/>, mailed to all county libraries in Nevada and posted at the following locations:

Department of Conservation &
Natural Resources
901 S. Stewart Street, Lobby area
Carson City, NV 89701

Division of State Parks Headquarters
901 S. Stewart Street, Suite 5005
Carson City, NV 89701

Division of State Parks
 Northern Region Office
 16799 Lahontan Dam
 Fallon, NV 89406
 To include western, central, eastern,
 and northern parks in this region

Division of State Parks
 Southern Region Office
 4747 Vegas Drive
 Las Vegas, NV 89108
 To include the southern and eastern
 parks in this region

Nevada State Library
 100 Stewart Street
 Carson City, NV 89701

Lake Tahoe Nevada State Parks
 2005 Highway 88
 Incline Village, NV 89452

Workshops were held June 12 in Carson City, June 19 in Fallon, June 26 in Elko, July 16 in Panaca and August 7 in Las Vegas. In Carson City only one person attended, in Fallon and Elko no one attended, and in Panaca one person was present. At the Las Vegas workshop, 13 photographers were present. Steve Fogarty, Steven Joseph Photography, unofficially was the spokesman for the group of photographers. Minutes of the Carson City, Panaca and Las Vegas workshops are attached. A public hearing was held in Carson City and videoconferenced from the Southern Region office in Las Vegas on December 3, 2013. No one attended the hearing. Local newspapers also posted the notice of workshops and hearing in the Legal section of their newspaper.

3. The number persons who:

- a. Attended each hearing:** June 12, 2013 - 1; June 19, 2013 – 0; June 26, 2013 – 0; July 16, 2013 - 1; August 7, 2013 -13; December 3, 2013 - 0
- b. Testified at each hearing:** June 12, 2013 - 0; June 19, 2013 – 0; June 26, 2013 - 0; July 16, 2013 - 1; August 7, 2013 – 1, December 3, 2013 - 0
- c. Submitted to the agency written comments:** 1
- d.**

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

Date	Name	Telephone #	Business address	Business telephone #	Email	Name of Entity or organization represented
July 16, Panaca workshop	Dixie Tienken	775-728-4408	NA	NA	Dtie62@yahoo.com	Concerned citizen
August 7, Las Vegas workshop	Steve Fogarty	NA	Henderson, NV	702-274-4447	info@stevenjosephphotography.com	Steven Joseph Photography
November 25, written comment	Jeff Mullins	NA	3720 Idaho Street, Elko, NV	775-748-2707	editor@elkodaily.com	Elko Daily Free Press

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

The general public workshop and hearing comment process was open to any business that felt they may be impacted by the regulation changes. Comments were solicited from affected businesses by the notice in the newspapers, as outlined in paragraph 1 and by direct mail to interested persons subscribing to the State Park's mailing list. Economic impacts to business as noted in paragraph (c) of subsection 1 of NRS 233B.066 are not anticipated. As an agency we understand the impacts of such regulations are difficult to predict for business that utilize or conduct business with parks. Each state park has the ability to negotiate fees directly with each business that uses the park commercially with either a commercial or special use permit. For this reason it is not anticipated the fees or regulation changes requested will significantly impact business interests.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulation was adopted on January 1, 2014 and included all of the changes suggested at the workshops.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

a. Estimate economic effect on the businesses which they are to regulate:

- 1) Sections #2 thru #4 – clarifies existing permit language
- 2) Sections #6 thru #7– clarifies existing permit language
- 3) Sec. #8 – will limit number of non-emergency aircraft permitted for pollution and visual impact to public user.
- 4) Sec. #8 – will mean a potential loss of revenue to the state, provides additional access opportunities to disabled veterans.
- 5) Sec. #8 – clarifies existing permit language, increases accessibility for commercial photographers, disabled veterans and clarifies the use of certain permits.
- 6) Sec. #9 – provides additional revenue to the state and provides authority to charge fees for cabin rentals
- 7) Sec. #10 – means a loss of revenue to the state, provides a benefit to nonprofit, public and charitable entities and improves community relations

b. Estimated economic effect on the public which they are to regulate

- 1) Sec. #8 – potential increased use of parks by commercial photographers and disabled veterans.
- 2) Sec. #9 – potential decrease in group area reservations at Sand Harbor.
- 3) Sec. # 10 – provides accessibility to parks not otherwise possible.

8. The estimated cost to the agency for enforcement of the proposed regulation.

There is no additional cost to State Parks for the enforcement of the proposed regulations.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates, and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

These changes in regulations do not overlap or duplicate any other federal, state or local regulations.

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

N/A

11. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.

NAC. 407.0071

The Commercial Photography annual permit involves a new fee. No increase or decrease in revenue is expected as the purpose of the permit is to provide convenience to regular park users already subject to the entry fee.

NAC 407.050

Permits for disabled veterans involves a new fee. Increase or decrease in revenue is unknown, the limited amount of data available indicates no significant change.

All permit fees received are revenue and are allocated to the agency's general operating funds.