

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS - NRS 233B.066

Informational Statement

LCB FILE: R-123-20

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 407.

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

The regulation addresses the administration and management practices of Nevada state parks and recreation areas. Amendments to NAC 407 modify senior citizen permit requests for consistency with NRS; clarify when a photography permit is required to eliminate confusion as to when a photographer is required to obtain a permit to take photos inside state park boundaries; establishes a discount for veterans in response to requests from the veteran community and advocates throughout the state; amends the term “Off-Highway vehicle” for consistency with NRS; and defines state park regions to reflect the Divisions management of state parks throughout the state. Other amendments, such as illegal dumping of gray water, enacting curfews and camping limits, will assist the Division in better management practices.

Additionally, the regulation establishes criteria and procedures for administering the Outdoor Education and Recreation Grant Program and establishes an advisory committee to assist and advise the grant program as required by Assembly Bill 331 (2019). Establishing criteria and procedures establishes a process and framework for the Division to carry out the program.

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

A public workshop was held in order to solicit public comment from interested parties. Pursuant to the Governor’s Emergency Declarations, the public workshop and subsequent public hearing were held virtually. The Division received minimal public comment during the workshop related to photography permit requirements. The Division took the public comment into consideration before submitting the agency draft regulation to LCB for official drafting. There was no public comment during the adoption hearing.

Additionally, copies of the proposed regulations, notices of workshops and notice of intent to act upon the regulations were posted to the Division’s website, the Legislative Counsel Bureau website, and the public notice website. The Division also allowed the public to submit written comment, though no written comment was received.

3. Number of persons who:

a. Attended the hearing:

One (1) person from the public attended the hearing on December 3, 2020 via telephone.

b. Testified at each hearing:

No person from the public testified at the hearing on December 3, 2020.

c. Submitted to the agency written comments:

No person from the public submitted written comment to the agency.

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.

The following is a list of names and contact information for all public persons who attended, testified or submitted written statements.

- a. The attendee stated she was only there to listen and did not identify herself.

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 Division determined that there was no impact on small businesses with the adoption of these regulations, therefore commenters were not solicited from small businesses.

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

No public comment was received; the Division is submitting for final adoption as proposed.

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

- a. Pursuant to NRS 233B.060, the proposed administrative regulation changes are not likely to impose a direct or significant economic burden upon a small business, or

- b. Directly restrict the formation, operation, or expansion of a small business.

8. The estimated cost of the agency for enforcement of the adopted regulation.

Based on previous years' fee collection, 505,686 day-use permits were sold. It is estimated that less than 10% of the visitors would qualify for veterans or senior discount. Therefore, the maximum fiscal impact would be a reduction of approximately \$50,567 annually.

9. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication

overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulation federal agency.

There are no other regulations of other state or government agencies which the proposed regulation overlaps or duplicates. The proposed regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity and no summary is provided.

- 10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the 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.**

There are no fees will be increases or new fees proposed within the regulation.