

Joe Lombardo
Governor

JAMES A. SETTELMAYER
Director
Department of Conservation and
Natural Resources

Bob Mergell
Administrator
Nevada State Parks

STATE OF NEVADA



901 S. Stewart Street,
Suite 5005
Carson City, NV
89701-5248

Phone: (775) 684-2770
Fax: (775) 684-2777
stparks@parks.nv.gov
<http://parks.nv.gov>

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF STATE PARKS

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS - NRS 233B.066

Informational Statement

LCB FILE: R123-23

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 purpose of the proposed regulation is to update administrative practices and definitions, fee structures, and annual use permits for Nevada’s state parks and recreation areas. The regulation includes updates to the structure and management of parks within the Tahoe Region in alignment with current practices. Additionally, the regulation reorganizes and updates the criteria for, and types of annual permits issued by the Division, reflecting the directive from Assembly Bill 84 of the 2023 Legislative Session. The regulation aims to enhance clarity for the public by consolidating various fees related to entering, recreating, and utilizing state park facilities. The regulation will clarify language that day use reservation fees will be collected at all parks that implement day use reservations not just parks that are designated for camping.

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 person as well as virtually on December 1, 2023, to solicit public comment from interested parties. There were no participants during the public workshop. A final adoption public hearing was held on March 4, 2024. Members of the public were invited to participate in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing.

Additionally, copies of the proposed regulations, notice of workshop, and notice of intent to act upon regulations were posted to the Division’s website, the Legislative Counsel Bureau website, and the public notice website. Notices and copies of the proposed regulations were also posted at Division of State Parks locations, public libraries where the Division does not have an office, the

Bryan Building in Carson City, and the Grant Sawyer Building in Las Vegas. 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:

No person from the public attended the hearing on March 4, 2024.

b. Testified at each hearing:

No person from the public testified at the hearing on March 4, 2024.

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.

No individuals from the public testified at the hearing and no written comment was provided.

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 comments 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; however, the Division adopted an amended version of the regulation to address minor clarification language.

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

a. Both adverse and beneficial effects;

- On businesses: NDSP anticipates no adverse effects, either direct or indirect, on regulated businesses as the result of the regulation. There will be no direct or indirect cost to regulated or small businesses. NDSP believes that there will be no beneficial effects, either direct or indirect, on regulated or small businesses as the result of these regulations.

- On the public: The implementation of this regulation is expected to benefit the public by enhancing clarity and transparency regarding park fees, simplifying the process for obtaining annual permits through the Division, and modernizing rules and practices across state parks and recreation areas. Moreover, NDSP does not anticipate any negative impact on the public resulting from the adoption of these regulations.

b. Both immediate and long-term effects.

- On businesses: NDSP does not anticipate any immediate effects, either adverse or beneficial, on regulated or small businesses as a result of these regulations. NDSP does not anticipate any long-term effects, either adverse or beneficial, on regulated or small businesses as a result of these regulations.
- On the public: NDSP foresees an increase in the enrollment of veterans and Nevada tribal members for the annual permits now being offered, both in the near term and in the future. Moreover, it is expected that the public will gain a clearer understanding of the fees and recreational activities associated with each park.

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

NDSP does not anticipate incurring any additional cost for these proposed permanent regulations.

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.

The proposed regulation does not overlap or duplicate any existing regulation.

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

The regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

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.

The regulation does not create any new fees or increase an existing fee, it does make fees consistent with already established statute and clarifies how fees will be administered. The regulation clarifies that day use reservation fees will be collected at all state parks that implement day use reservations not just the parks that are designated for camping. The Revenue collected from the reservation fees will be used to offset costs associated with maintaining the reservation system.