

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

LCB File No. R118-01

November 14, 2001

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

AUTHORITY: §§1, 5, 10 and 11, NRS 407.0475 and 407.065; §§2-4, 6-9 and 12-20, NRS 407.0475.

Section 1. Chapter 407 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Sec. 2. *“Passport permit” means a permit that, for a calendar year, authorizes the holder to enter all parks and, except as otherwise provided in section 6 of this regulation, use the facilities of the parks without paying the entrance fees imposed pursuant to NAC 407.055.*

Sec. 3. *“Special use permit” means a permit that authorizes a natural person or a public or private organization to use a park for a special event or small or short-term business venture.*

Sec. 4. *The administrator or his designee will establish opening and closing times for a park or an area in a park.*

Sec. 5. *The administrator will establish procedures, conditions and fees for obtaining a special use permit.*

Sec. 6. 1. *A passport permit does not authorize the holder to engage in camping or boating, or to attend special events.*

2. The holder of a passport permit who wishes to engage in camping or boating, or to attend special events, must pay the fee established for the respective activity.

Sec. 7. *A person shall not bring or have a glass container on any beach or waterfront area in a park.*

Sec. 8. *A person shall not disregard a lawful order of an employee of the division.*

Sec. 9. 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 407.009, inclusive, *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

Sec. 10. 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 \$10 administrative fee; and
- (d) Provides proof of his age and residence in Nevada to the division.

FLUSH 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 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*..... ~~[\$5]~~ \$10 per reservation per campsite, in addition to the camping fee or permit fee.

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

(f) For a passport permit..... \$75.

(g) For entry to the Valley of Fire State Park primitive access area..... \$2 per vehicle.

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

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.....	600
21 to 50 vehicles or 101 to 400 persons.....	2,000
More than 50 vehicles or more than 400 persons	3,000

FLUSH 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. 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. 11. NAC 407.055 is hereby amended to read as follows:

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

Park	Annual Permit Fee	Season	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Beaver Dam	\$35	April 1 - Nov. 15	\$3	5 \$6	\$2	\$15 plus \$3 per vehicle	\$15 plus 8 \$9 per vehicle
		Nov. 16 - March 31	1	\$3	N/A	\$15 plus \$1 per vehicle	\$15 plus \$4 per vehicle
Berlin-Ichthyosaur	\$30	April 1 - Oct. 31	\$3	7 \$8	N/A	\$15 plus \$3 per vehicle	\$15 plus 10 \$11 per vehicle
		Nov. 1 - March 31	1	\$3	N/A	N/A	\$15 plus \$4 per vehicle

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Big Bend of the Colorado	\$30	{All-Year}	\$3	{5} \$6	\$5	N/A	N/A
Cathedral Gorge	\$35	{April 1-Nov. 15}	\$3	{9} \$10	N/A	\$15 plus \$3 per vehicle	\$15 plus {12} \$13 per vehicle
		{Nov. 16-March 31}	\$1	\$3	N/A	{15 plus \$1 per vehicle}	{15 plus \$4 per vehicle}
Cave Lake	\$30	{April 1-Nov. 30}	\$3	{9} \$10	\$2	\$15 plus \$3 per vehicle	\$15 plus {12} \$13 per vehicle
		{Dec. 1-March 31}	\$2	\$3	\$1	{15 plus \$2 per vehicle}	{15 plus \$5 per vehicle}
Dayton	\$30	{All-Year}	{4} \$2	{9} \$10	N/A	\$30 plus \$1 per vehicle	N/A
Echo Canyon	\$35	{April 15-Oct. 31}	\$3	{5} \$6	\$2	\$15 plus \$3 per vehicle	\$15 plus {8} \$9 per vehicle
		{Nov. 1-April 14}	\$2	\$3	N/A	{15 plus \$2 per vehicle}	{15 plus \$5 per vehicle}
Floyd R. Lamb State Park	\$45	{All-Year}	\$5	N/A	N/A	\$50 for 2 to 100 persons \$100 for 101 to 200 persons \$150 for 201 to 300 persons	N/A

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
						\$250 for 301 to 400 persons \$500 for 401 to 500 persons Plus \$100 for each additional 100 persons plus \$5 per vehicle	
Fort Churchill	\$30	{April 1-Oct. 31}	\$3	{\$7} \$8	N/A	\$25 plus \$3 per vehicle	\$25 plus {\$10} \$11 per vehicle
		{Nov. 1-March 31}	\$1	\$3	N/A	\$15 plus \$1 per vehicle	\$15 plus \$4 per vehicle
Kershaw-Ryan	\$35	{All Year}	\$3	{\$5} \$6	N/A	\$15 plus \$3 per vehicle	N/A
Lahontan	\$35	{April 1-Oct. 31}	\$3	{\$5} \$6	\$2	\$15 plus \$3 per vehicle	\$15 plus {\$8} \$9 per vehicle
		{Nov. 1-March 31}	\$1	\$3	\$1	\$15 plus \$1 per vehicle	\$15 plus \$4 per vehicle
Lake Tahoe: Cave Rock	\$75	{April 1-Sept. 30}	\$5 \$2 for 15 min. photo stop \$2 for launch	N/A	\$5	N/A	N/A

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Sand Harbor	\$75	{Oct. 1 March 31}	and leave \$2	N/A	\$5	N/A	N/A
		{April 1 Sept. 30}	\$6 from May 1 through September 30 \$3 from October 1 through April 30	N/A	\$6	{75} \$100 weekdays	N/A
Spooner Lake	\$75	{Oct. 1 March 31}	\$2 for launch and leave \$2	N/A	\$5	{150} \$200 weekends and holidays plus \$6 per vehicle	N/A
		{April 1 Oct. 31}	\$5 \$2 per bike for vehicles with more than 4 bikes	N/A	N/A	{30 plus \$5 per vehicle} N/A	N/A
		{Nov. 1 March 31}	{3} No entrance fee charged if the concession for cross-country	N/A	N/A	\$15 plus \$3 per vehicle. Area not available during ski concession	N/A

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
			skiing is in operation			-season	
Mormon Station	{No Annual Permit}	{May 1-Oct. 31}	N/A	N/A	N/A	\$100 for 1 to 50 persons \$150 for 51 to 100 persons \$200 for 101 to 150 persons \$250 for 151 to 250 persons Limit 250 persons	N/A
		{Nov. 1-April 30}	Closed	N/A	N/A	Closed	N/A
Old Las Vegas	{No Annual Permit}	{All-Year}	\$2 per person	N/A	N/A	N/A	N/A
Mormon Fort			Children 6-12 \$1 Children 5 and under free				
Rye Patch	\$30	{March 1-Oct. 31}	\$3	{5} \$6	\$2	\$15 plus \$3 per vehicle	\$15 plus {8} \$9 per vehicle
		{Nov. 1-Feb. 29}	\$1	\$3	\$1	\$15 plus \$1 per vehicle	\$15 plus \$4 per vehicle
South Fork	\$35	{All-Year}	\$3	{5} \$6	\$2	N/A	\$20 plus {8} \$9 per vehicle

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Spring Mountain Ranch	\$35	{All Year}	\$5	N/A	N/A	\$50 for 2 to 100 persons \$100 for 101 to 200 persons \$150 for 201 to 300 persons \$250 for 301 to 400 persons \$500 for 401 to 500 persons Plus \$100 for each additional 100 persons plus \$5 per vehicle	N/A
Spring Valley	\$35	{March 1-Nov. 30} {Dec. 1-Feb. 29}	\$3 \$1	{9} \$10 \$3	\$2 \$1	\$15 plus \$3 per vehicle {15 plus \$1 per vehicle}	\$15 plus {12} \$13 per vehicle {15 plus \$4 per vehicle}
Valley of Fire	\$35	{All Year}	\$5	{7} \$8	N/A	{30} \$50 plus \$5 per vehicle	{30} \$50 plus {12} \$5 per vehicle
Ward Charcoal Oven	\$30	{April 1-Nov. 30} {Dec. 1-March 31}	\$3 \$1	{5} \$6 \$3	N/A	N/A	\$15 plus {8} \$9 per vehicle {15 per \$4 per vehicle}

Park	Annual Permit Fee	{Season}	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Group Entrance Fee	Group Entrance and Camping Fee
Washoe Lake	\$30	{All-Year}	\$3	{7} \$8	\$2	Equestrian Group Use \$30 plus \$3 per vehicle Main Group Use \$30 plus \$3 per vehicle	Equestrian Group Use \$30 plus \$8 per vehicle Main Group Use \$30 plus {10} \$11 per vehicle
Wild Horse	\$30	{All-Year}	\$3	{7} \$8	\$2	N/A	\$20 plus {10} \$11 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. 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]~~ \$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.

Sec. 12. NAC 407.063 is hereby amended to read as follows:

407.063 **1.** The ranger in charge of a region or the supervisor of a park shall post at the headquarters of the park and at ~~[the area affected any]~~ *each affected area in the park:*

(a) The opening and closing hours of the park or the area; and

(b) Any restrictions or prohibitions on the use of the park or ~~[an area in the park.] the area.~~

2. An affidavit of posting with a copy of the *opening and closing hours*, restrictions and prohibitions attached to the affidavit must be filed in the offices of the ranger in charge of the region and the administrator.

Sec. 13. NAC 407.082 is hereby amended to read as follows:

407.082 **1.** Unless the fee is waived pursuant to NAC 407.057, no person may ~~[enter.]~~ :

(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.

2. This section does not apply to ~~[officers and employees of the division on official business or to]~~ persons exempted by the administrator, the chief of operations and maintenance, or the ranger in charge of the region.

Sec. 14. NAC 407.085 is hereby amended to read as follows:

407.085 Unless authorized pursuant to a special use permit, a person shall not use a park for any organized activity, 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 ~~or~~; *or*
6. *Involves an organized or promoted assembly of more than 20 persons.*

Sec. 15. NAC 407.088 is hereby amended to read as follows:

407.088 In a park no person may:

1. Without the approval of the administrator, post or distribute a handbill, notice or advertisement.
2. Without a concession or special permit granted by the administrator:
 - (a) Sell or offer to sell any goods or services.
 - (b) Use a park for any other commercial purpose.
3. *As used in this section, “commercial purpose” means any activity that is engaged in for financial gain, including, without limitation, the buying, selling or other exchange of commodities or the providing of services related to or connected with trade, traffic or commerce in general.*

Sec. 16. NAC 407.105 is hereby amended to read as follows:

407.105 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
- (d) Throw a knife, hatchet, spear, stone or projectile,

FLUSH except as authorized by the administrator.

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 that park.

3. Target shooting is prohibited in all areas of a park, except in an area designated as a firing range.

4. Use of a bow to kill, capture or injure a fish is prohibited within 100 feet of a swimmer.

Sec. 17. NAC 407.300 is hereby amended to read as follows:

407.300 Within *the* Lake Tahoe Nevada State Park, a person shall not:

- 1. ~~Bring any glass container onto any waterfront area;~~
- ~~2.]~~ Fish in any area designated for swimming;
- ~~3.]~~ 2. Swim within 50 feet of a boat dock;

~~[4.]~~ 3. Dive off any rocks within an area controlled by the division;

~~[5.]~~ 4. Leave any vehicle, trailer or other property within the park overnight or after the park is closed without the prior approval of the supervisor of the park; or

~~[6.]~~ 5. Operate any bicycle in a manner which jeopardizes the safety of others. Riders must maintain a reasonable speed on dirt roads.

Sec. 18. 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 ~~[the area designated for swimming;]~~ *any area marked with buoys or other distinguishing devices as closed to boats; or*

(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 designated 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. 19. NAC 407.308 is hereby amended to read as follows:

407.308 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,

FLUSH 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.

Sec. 20. NAC 407.350 is hereby amended to read as follows:

407.350 ***1.*** Within ***the*** Valley of Fire State Park, ~~no person may~~ ***a person shall not*** use any pitons, chocks, or other such climbing devices or any magnesium carbonate chalk in climbing the formations, except for rescue operations.

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

(a) Except as otherwise provided in paragraph (b), a person shall not drive or operate a vehicle.

(b) A person may drive or operate an off-highway vehicle on a designated route so long as the vehicle is not driven or operated:

(1) At a rate of speed that is greater than is reasonable or proper, having due regard to the condition of the driving surface, the weather and other conditions;

(2) In any event, at a rate of speed that is greater than 20 miles per hour; or

(3) In an unsafe manner.

(c) A person shall not, without the approval of the park supervisor, park or leave any vehicle, trailer or other property overnight.

3. As used in this section, “off-highway vehicle” means a motorized vehicle designed or intended to be driven or operated over terrain ordinarily considered inaccessible by conventional highway vehicles. The term includes, without limitation:

(a) An all-terrain vehicle;

(b) A dirt motorcycle;

(c) A dune buggy;

(d) A snowmobile; and

(e) Any vehicle equipped with four-wheel drive.