

**Chapter 407 of NAC**

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

**LCB File No. E002-12**

**(Effective for 120 days after December 4, 2012)**

EXPLANATION – Matter in underscore is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-18, NRS 407.0475 and 407.065.

**Section 1.** NAC 407.055 is hereby amended to read as follows:  
Fees for use of parks. (NRS 407.0475, 407.065)

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
Lake Tahoe: Cave Rock	\$100	\$8 from April 15 through October 15 \$5 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	\$10 from April 15 through October 15 \$5 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 per vehicle from October 16 through April 14	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
Spooner Lake	\$100	<p>\$8 <i>from April 15 through October 15</i>            \$5 <i>from October 16 through April 14</i>            \$2 per bike for vehicles with more than 4 bikes  <del>[No entrance fee charged if the concession for cross-country skiing is in operation]</del></p>	N/A	N/A	N/A	N/A	

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 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. Except as otherwise provided in this subsection, the Division will not charge a fee for any vehicle that is towed into a park to provide transportation within the 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 transported into the park by a single vehicle.

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.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY  
ADMINISTRATIVE PROCEDURES ACT, NRS 233b.066**

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

- 1. 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.**
  
- 2. The number persons who:**
  - (a) Attended each hearing:** N/A
  - (b) Testified at each hearing:** N/A
  - (c) Submitted to the agency written comments:** N/A
  
- 3. 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.**

N/A

- 4. 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 requested regulation change is being requested to address a reduction in service and to align all the fees at the Lake Tahoe-Nevada State Park.

- 5. The estimated economic effect of the adopted regulation on the businesses that it is to regulate and on the public. These must be stated separately and each case must include:**
  - (a) Both adverse and beneficial effects:** The reduction in fees should have no impact on businesses and makes the park more affordable to the public.
  - (b) Both immediate and long-term effects:** None.

- 6. The estimated cost to the agency for enforcement of the adopted regulation.**

No additional cost.

- 7. A description of any regulations of other state or government agencies that 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.**

None.

- 8. 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

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

Reduction in fees.

- 10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?**

No

## Statement of Emergency

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

For Lake Tahoe Nevada State Park, Spooner Lake, Off-Season Daily Park Entrance Fee

Current:

Spooner Lake, Entrance Fee Per Vehicle

\$8 per vehicle, \$2 per bike for vehicles with more than 4 bikes. No entrance fee charged if the concession for cross-country skiing is in operation.

Proposed:

\$8 per vehicle, April 15 – October 15 (on-season rate).

\$5 per vehicle, October 16 – April 14 (off-season rate).

\$2 per bike for vehicles with more than 4 bikes.

Remove stipulation for charging no fees if the cross-country skiing concession is operating.

**JUSTIFICATION:** The Spooner Lake unit of Lake Tahoe Nevada State Parks has been operated, in part, by a private concession. The concessionaire is Spooner Lake Inc. (winter time operation) and Flume Trail Bikes (summer time operation). This concessionaire has been in place for a number of years but the owner of the concession has elected not to accept the optional 5 year extension of his lease. As a result, the current concessionaire will end his lease operation at the Spooner, December 31<sup>st</sup>, 2012. As a result of the decision by Spooner Lake Inc. not to operate a concession at Spooner Lake, this winter the park will be operated by existing park employees and will not include the grooming of cross-country ski trails. During the upcoming winter, visitors will be surveyed as to their interests and level of amenities they would like to see in the future. It is anticipated the general public would appreciate access to park for various winter activities but may not need or be willing to pay for the level of trail grooming provided in the past. It is also believed that it is no longer financially feasible to provide an extensive snow grooming program. The staff at Lake Tahoe Nevada State Park are currently developing a Request for Proposal (RFP) for a replacement (summer only) concession but at this point are not planning on providing the same level of winter services. The initial comments from the public seem to indicate a high degree of interest in having winter access with fewer amenities but at a reduced rate. With the loss of a winter concession, comments from the public and the winter fee charged at Sand Harbor and Cave Rock, a fee reduction is being requested. Since it is not possible to make a permanent change in the fees without going through the NAC revision process, it would not be possible to adjust the fees for the upcoming season without requesting emergency authorization through the Governor, something we feel will be represent what is being offered and likely result in more park visitors.

Therefore, I request the Governor of the State of Nevada endorse this Statement of Emergency so that State Parks can adjust fees effective December 1, 2012.

Dated this 27th day of November, 2012

\_\_\_\_\_/S/  
David K. Morrow  
Administrator, Division of State Parks

I, hereby endorse the State of Emergency prepared by the Administrator of the Division of State Parks, Department of Conservation and Natural Resources.

Dated this 4th day of December, 2012

\_\_\_\_\_/S/  
Brian Sandoval, Governor  
State of Nevada