

STEVE SISOLAK
Governor

BRADLEY CROWELL
Director

Department of Conservation and
Natural Resources

ROBERT MERGELL
Administrator

STATE OF NEVADA



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

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

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF STATE PARKS

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Permanent Regulations of the
Nevada Division of State Parks

LCB File Number R-019-21

The Nevada Division of State Parks (NDSP) will hold a public hearing to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapters 407 of the Nevada Administrative Code.

Thursday, October 28, 2021, at 1:00 p.m.

Richard Bryan Building, Tahoe Conference Rm. 2nd Floor
901 So. Stewart Street, Carson City, NV 89701

Teleconference Access Information:

Join the Meeting at - <https://call/lifesizecloud.com/5734042>

Call in by Phone (audio only) – (877) 422-8614, 5734042#

Please MUTE your phone while listening to the meeting, except when making public comment.

Pursuant to NRS 233B.608 and 233B.609, NDSP is providing the following statements pertaining to the public hearing on proposed changes to Chapter 407 of the Nevada Administrative Code.

The need and purpose of the proposed regulation: The purpose of the proposed regulation is to update the administration of Nevada's state parks and recreation areas in NAC 407, including updating the definitions for parks and annual permits, out of state visitors, and updates the fees for annual day use and annual all access permits. The regulation also updates entrance fees associated with veterans, reflecting the conforming change set forth in Assembly Bill 102 of the 2021 Legislative Session eliminating the requirement that a person must provide proof to the Division of a permanent service-connected disability of 10 percent or more to obtain an all access annual permit for disabled veterans. This regulation authorizes the Division to collect such fees at a park or office maintained by the Division. Further, the regulation makes changes to refunds of fees or permit cost when privileges are rescinded due an infraction of park regulation.

The estimated economic effect of the proposed regulations on (a) regulated businesses and (b) the public, including, stated separately: (i) adverse and beneficial effects; and (ii) immediate and long-term effects:

(a) Regulated businesses:

(i) Adverse and beneficial effects:

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.

(ii) Immediate and long-term effects:

NDSP does not anticipate any immediate effects, either adverse or beneficial, on regulated or small businesses because of these regulations. NDSP does not anticipate any long-term effects, either adverse or beneficial, on regulated or small businesses because of these regulations.

(b) The public:

(i) Adverse and beneficial effects:

NDSP views most of the regulation changes primarily as housekeeping and does not anticipate adverse impacts to the public because of these regulations. The regulation change associated with the Disabled Veterans Annual Permit will benefit veterans by reducing the requirements to be eligible for the Disabled Veterans Annual Permit from 10% to “any” permanent service-connected disability (this will make the NAC consistent with NRS). The proposed changes will make permanent the temporary fee changes that were implemented earlier in the year, however based on feedback from visitors this does not seem to adversely impact the visitor / public. The largest benefit is that NDSP will be able to continue to operate its parks without a decrease in funding which would have resulted in a decrease in services being provided.

(ii) Immediate and long-term effects:

NDSP anticipates the immediate and long-term effects will be that the agency will be able to maintain the same level of services that have been offered in the past as the increase in revenue will offset a reduction in general fund funding. One other immediate effect is that NAC and NRS will be consistent with language changes that are largely “housekeeping” in nature. The other long-term effect is that NDSP will have the regulations in place that would be necessary to begin renting out larger “group lodging” venues such as those located at the new Walker River State Recreation Area.

The estimated cost to the Division for enforcement of the proposed regulation: NDSP does not anticipate incurring any additional cost for these proposed permanent regulations.

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

The proposed regulation is not required by federal law and there is no equivalent federal law.

The proposed regulation establishes a new fee for group lodging and makes permanent a statewide non-resident entrance fee and increases the cost of the Day Use and All Access Annual Permits which were increased as a temporary regulation change earlier in 2021.

Persons wishing to comment upon the proposed action of Nevada Division of State Parks may appear via virtual meeting or by telephone at the scheduled public hearing time or may address their comments, data, views, or arguments, in written form to Nevada Division of State Parks, 901 S. Stewart Street #5005, Carson City, NV 89701. Written submissions must be received by Nevada Division of State Parks on or before 1:00 p.m., October 25, 2021. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, Division of State Parks may proceed immediately to act upon any written submission.

A copy of the notice and regulation to be adopted are available at the Nevada State Parks website at <https://parks.nv.gov> and the Nevada Public Notice website at <http://notice.nv.gov>. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations at <https://www.leg.state.nv.us/App/Notice/A/>, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us/>. Copies of this notice and the proposed regulation can also be mailed to members of the public at no charge upon request.

A workshop to solicit public comments on the proposed permanent regulations was conducted on May 20, 2021, pursuant to Nevada Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing and agenda has been posted in the following locations:

Nevada State Parks website <https://parks.nv.gov>
Nevada State Legislature website www.leg.state.nv.us/App/Notice/A/
Nevada Public Notice website <http://notice.nv.gov>
Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV 89101
Richard Bryan Building, 901 So. Stewart Street, Carson City, NV 89701
Esmeralda County Library, Crook Avenue & 4th Street, Goldfield, NV 89013
Storey County Library, 175 Carson Street, Virginia City, NV 89440
Humboldt County Library, 85 E. 5th Street, Winnemucca, NV 89445

Date Posted: 09/28/2021