

NEW MEXICO STATE PARKS FEES STUDY

THE PURPOSE OF A FEES STUDY FOR NEW MEXICO'S STATE PARKS

New Mexico's State Parks (State Parks) provide recreational and educational opportunities for approximately 5 million visitors every year – both New Mexico residents and non-residents. State Parks contribute economic opportunity to their local communities while providing access to the beauty of our state's natural resources. Nearly three quarters of all New Mexico residents live within forty miles of a State Park.¹ Providing reasonable and affordable access to State Parks and other outdoor recreation opportunities enhances the overall quality of life in our state. Therefore, preserving, improving, and protecting the State Park system is vital to the state's economic and environmental health, especially in the aftermath of the COVID-19 pandemic: a crisis which devastated State Park revenues at the same time as clarifying the importance of public outdoor access for all New Mexicans.

This study, initiated by a legislative directive (SM 69 2019), was conducted for the purpose of exploring strategies for providing affordable and equitable access for all visitors to New Mexico's thirty-five State Parks, while continuing to use self-generated park fees revenues to support a stable budget for the State Parks Division (Division) of the Energy, Minerals and Natural Resources Department (EMNRD). The study reviews current New Mexico State Park fees for both camping and day use and compares them to fees in neighboring states. The Division seeks, through this effort, to find ways to increase revenue, streamline and simplify payment options for State Park visitors in the post COVID-19 era, and provide new products and services for those visitors. A central tenet of the study is that fees should remain reasonable and affordable for New Mexico residents. Based on the above criteria and further analysis, the study recommends options for adjusting State Park fees.

This study was conducted by a diverse committee of current State Parks employees with direct and extensive agency experience ranging from seasonal part-time work to full-time park educators, park rangers, park managers, regional managers, bureau chiefs, deputy director, and director work experience.

CURRENT STATE PARK FEES STRUCTURE & BUDGET IMPLICATIONS

In fiscal years FY21 and FY22, only 29.43% and 34.63% of the Division's budget derived from New Mexico's general fund respectively. The remainder of the Division's budget comes from other funds, including self-generated funds. A significant portion of the self-generated funds come from the sale of day use passes, camping passes, and concession fees – fees related to entities that operate within State Parks, including businesses like marinas, fishing guides, and many others.

Park staff field collects revenue from day-use and camping fees, as well as from the sale of annual passes. Revenues are entered into a cash receipting and reporting system. These entries are identified by park and revenue source and transmitted to the Administrative Services Division of EMNRD for reconciliation against the corresponding bank deposits. Once reconciled, the state park revenue information is entered in the SHARE system for reporting to

¹ New Mexico State Parks 2015: 3.

the State Treasurer's office. All park revenues are planned for and distributed annually through the fiscal year budget development and request process. These revenues are distributed across the thirty-five state parks supporting a comprehensive enterprise budget. State Parks operating costs are covered by a combination of park-generated revenues, general fund revenues, dedicated funding sources, other state funds, and federal funds. This approach ensures that State Parks adequately supports all state park sites understanding that some may not be net revenue generators but still have overall intrinsic value to the system.

Between FY 19 and FY 22, the total average annual revenue for day use and camping pass sales was approximately \$4.09 million dollars – a substantial part of the Division's and the individual State Parks – operating budgets. State Park fees are set in rule and therefore must undergo a rigorous administrative and public input process before the Division files the rule change with the State Records Center and Archives and a new fees schedule becomes effective. The authority for State Park fee rulemaking is set out in 19.5.6 NMAC. (See Appendix 1 for the full text of the rule.)

New Mexico has not substantially changed its State Park fees in the past twenty-five years. Camping fees for sites with utilities were first implemented in 1998 – and have not changed since. The last time that day-use fees increased was in 2004, that year they increased by 25%. Current Annual Camping Pass fees were also adopted in 2004, while Annual Day Use Pass fees were increased by 14% in 2006. As such, these fees have not been adjusted for inflation, nor have they kept pace with state park fees across the country.

Table 1. Current New Mexico State Park Fees Schedule

Day Use	
Per Vehicle	\$5
Annual Day Use Pass (ADU)	
Annual Day Use	\$40
Disabled Veterans	Free
Foster Families	Free
Camping (Per Night)	
Primitive	\$8
Developed	\$10
Developed with one utility	\$14
All utilities	\$18
Annual Camping Pass (ACP)	
Resident	\$180
Resident Senior	\$100
Resident Disabled	\$100
Out of State	\$225
Replacement	\$10

FEE TYPES

Day Use – Currently, a Day Use Pass for a State Park costs \$5 per vehicle and is valid for access between the hours of 6 AM to 9 PM. There are some exceptions: Living Desert Zoo and Gardens State Park charges from \$.50 cents to

\$5 per person, rather than per vehicle; and Rio Grande Nature Center State Park provides day use from 8 AM to 5 PM only for \$3 per vehicle. There is no differentiation between fees for New Mexico Resident or non-resident visitors for Day Use Passes.

Annual Day Use Pass (ADU) – An Annual Day Use Pass provides access to all State Parks between 6 AM and 9 PM, except for Living Desert Zoo and Gardens. An ADU is valid for twelve months from its day of issue, and currently costs \$40. The pass comes in the form of a hang-tag placard, and while it is linked to a single purchaser, it is transferable between vehicles without penalty. ADUs are available to anyone, and there is no differentiation between fees for New Mexico resident or non-resident visitors.

Camping Fees – Camping fees are divided into two types: primitive camping and developed camping. Primitive camping sites include sites without a shelter, picnic table, or fire ring, while developed campsites incorporate these amenities. Camping fees are levied per vehicle, per night. At developed campsites, there is an additional charge for utilities, such as electric, or sewer, if they are available. For sites with utilities an additional \$4 per utility is charged per night for the first vehicle at the site. Additional vehicles at the site are charged the standard \$10 camping fee, but not the additional utility fee. A few sites with full utilities charge \$18 per night. Camping passes can be first-come, first-served or reservation, and do not differentiate between New Mexico resident or non-resident.

Annual Camping Pass (ACP) – The Annual Camping Pass is the camping equivalent of an Annual Day Use Pass: available to anyone and valid for twelve months from its date of issue. The ACP is affixed to a vehicle or camping unit, and each vehicle or camping unit requires a separate pass. ACP prices vary, with specific prices for New Mexico residents, resident seniors, residents with disabilities, and non-residents. Replacement ACPs are also available for an additional fee and require prescribed procedures for replacement.

STATE PARK FEES COLLECTION PROCESS

State Parks fees for camping and day use are currently collected in three different ways: through self-pay envelopes deposited into “iron ranger” pay devices at park entrances; at park visitor centers or entry stations; and through an online reservation system, ReserveAmerica, a subsidiary of Aspira, which serves the state parks of most states in the United States. It is the State Parks Division's policy to collect the established fees and charges for park use, handle the funds appropriately, and account for the funds in a consistent manner. Employees authorized to collect fees are responsible for all monies collected and shall properly account for such monies in adherence with per established policy and procedures.



Pay Station at Bluewater Lake State Park

The first fee collection method – self-pay envelopes left in “iron rangers” requires two staff members from the State Park to collect the cash and checks in the self-pay envelopes daily. At a visitor center or entry station, visitors can pay with cash, check, or credit cards where accepted. Some parks are unable to support credit card machines due to limited internet connectivity in rural areas.

Collecting fees in cash and checks is particularly unwieldy for small increments, such as day use fees, State Park staff must devote a large amount of time to collecting, verifying, and depositing funds. Cash counting leaves room for error. Furthermore, fees from self-pay envelopes and visitor centers are deposited at least once

per week. Deposits can only be made at state fiscal agent banks or mailed from post offices. Park staff are often required to travel many miles to finalize these deposits. These activities require a significant investment of staff time which detracts from the mission of State Parks.

Some visitor centers and entry stations offer credit card payment. This form of payment provides convenience to visitors and reduces the amount of staff time needed to verify cash or check fee payments, but is subject to bank fees, often on a per-transaction basis. State Parks were subject to over \$10,000 in bank processing fees in FY22², and this number is expected to increase. Nevertheless, credit and debit card payments are an important aspect of modernizing fees collection in State Parks, and the Division plans to increase their availability.

In addition, the Division is currently evaluating the purchase and installation of self-pay kiosks to replace “iron rangers”, These would provide a wider range of visitor payment options and modernize revenue collection and management providing increased convenience for the visitor.

The third method of collecting fees, online purchases through ReserveAmerica, was substantially expanded in October 2020. While ReserveAmerica had previously been used to collect some camping reservation fees, being able to make day use reservations online is new. At the same time the Division added Day Use Pass sales through ReserveAmerica, the Division increased the available campsite inventory for online reservations from 30% to 80% of campsites statewide. A pass purchased on ReserveAmerica has a small extra transaction fee for the customer, variable by type of pass or reservation: \$4/night for a camping reservation (up to a \$12 maximum charge per reservation); \$0.35 for each Day Use Pass; and \$6.50 for each Annual Camping or Day Use Pass. The Division instituted this new form of payment to increase visitor convenience, simplify State Parks accounting, and reduce contact between visitors and State Park staff, minimizing public health risk during the COVID-19 pandemic.

ReserveAmerica is the most streamlined methodology for collecting State Park fees and the Division plans to continue to market it as a preferred option to visitors. The system has substantial technological capacity beyond what State Parks currently has. With the expansion of the use of ReserveAmerica, the reservation process transitioned to an instant reservation. This allows visitors to make a reservation in real time and increases customer

² Internal data, State Parks Division.

satisfaction. During FY22 \$3.4 million in revenue was moved from field collection to online reservations providing increased efficiency for State Park staff. Reducing the amount of cash handling for field staff allows them to focus on park management and maintenance.

EVALUATION OF STATE PARK DAY USE FEES

Day users of State Parks participate in a full range of outdoor recreational opportunities across the state and provide a steady level of revenue from single-day use passes and Annual Day Use passes. The combined average annual revenue for single day use and ADU passes between FY 19 and FY 22 was \$1.44 million, of which an average of \$1.15 million was from single-day use passes and \$292,000 was from ADUs.³



Entry Station at Elephant Butte Lake State Park

Day Use Passes require the most staff processing time of all parks passes. Division staff spend a great deal of time – as much as an entire day for busy parks like Elephant Butte Lake State Park – verifying day use payment to ensure that the appropriate fees have been submitted. Day Use Passes are the most likely to be paid in cash or check or deposited in an “iron ranger”. As mentioned above, cash and check processing and depositing is exceptionally

labor-intensive for State Park staff. Furthermore, “iron rangers” are vulnerable to theft, vandalism, and weather. Iron rangers are costly to replace. However, the institution of Day Use Pass purchasing online through ReserveAmerica will, over time, reduce this burden on staff.

DAY USE PASS PRICING COMPARISONS

Day use fees for state parks vary widely throughout the United States. Of state park systems which charge day use fees, New Mexico’s \$5/vehicle fee is on the low end of prices, especially when compared to neighboring states, as demonstrated by the following table:

Table 2. Day Use Comparison

STATE	DAY USE PASS FEE	NOTES
New Mexico	\$5/vehicle	New Mexico’s parks all charge the same day use fee. (Except Rio Grande Nature Center and Living Desert Zoo and Gardens State Parks)

³ Internal data, State Parks Division.

Arizona⁴	\$7-\$30/vehicle; \$2-\$30/individual or bicyclist	Each of Arizona’s parks has different entrance fees. Many parks use dynamic pricing, differentiating between high and low seasons, child vs. adult fees, and vehicle vs. individual/bicyclist fees. The highest fee is charged for guided cave tours.
Colorado⁵	\$10/vehicle; \$4 individual or bicyclist	Colorado differentiates between vehicle day passes and individual day passes, as well as charging slightly higher prices for certain parks to cover administrative fees.
Nevada⁶	\$5-\$10/vehicle \$10-15/vehicle non-Nevada Vehicle; \$2 individual or bicyclist	Nevada differentiates between vehicle day passes and individual day passes, as well as charging higher prices for certain parks with specific amenities. Nevada charges higher fees for out of state vehicles typically 1.5-2x the price of an in-state vehicle.
Texas⁷	\$2-\$8/person	Texas charges per person, rather than per vehicle, and uses dynamic pricing at many of its parks.
Utah⁸	\$5-15 per vehicle; \$2-35 per individual or bicyclist	Utah differentiates between vehicle day passes and individual day passes, as well as charging higher prices for non-residents at certain parks and having dynamic pricing with different prices for certain parks with specific amenities and during different times of the year.

All the states detailed here offer day use passes via online reservations as well as direct point of sale in the parks. Up until October 2020, the lack of an online method for purchasing Day Use Passes in New Mexico was the most striking difference between the state and its neighbors. Now that day use reservations are available through ReserveAmerica, the sharp difference between New Mexico’s flat five-dollar day-use fee and the variable, dynamic, and – in general – higher fees charged by neighboring states is the clearest point of contrast. State Parks does not charge a per individual fee (except at Living Desert) or for pedestrians, or bicyclists.

Living Desert has a unique pricing structure among State Parks as they charge a per person fee for entry into the facility. The per person fee is broken down based on the age of the visitor and includes discounts for youth school groups and Association of Zoos and Aquariums (AZA) members. The current fees structure for Living Desert was adopted in 2004 and is outlined in the following table:

Table 3. Living Desert Entry Fees

Ticket Type	Fee	Notes
Adult Admission	\$5.00	Adults are considered anyone over 12 years old.

⁴ <https://azstateparks.com/fee-schedule>
⁵ <https://cpw.state.co.us/buyapply/Pages/DailyPass.aspx>
⁶ <http://parks.nv.gov/fees>
⁷ AIX Project Team 2019-2020:35
⁸ AIX Project Team 2019-2020:35

Child Admission	\$3.00	Child admission is charged to visitors between 7 and 12 years old. Children 6 and under are free.
Youth School Group Admission	\$0.50	This rate is reserved for school groups typically on field trips.
Adult Group Admission (20 or more)	\$3.00	This rate is for large tour groups of 20 or more individuals.
AZA Adult	\$2.50	This rate is for members of AZA facilities where LDZG has a reciprocal agreement.
AZA Child	\$1.50	This rate is for children 7-12 who are members or whose parents are members of AZA facilities where LDZG has a reciprocal agreement.

An evaluation of Zoo entrance fees for surrounding states is not particularly helpful as each zoo has their own special features and all are unique attractions. However, a cursory review of fees for zoos in surrounding states shows admission fees ranging from free to \$30 per person.

ANNUAL DAY USE (ADU) PASS PRICING COMPARISON

A similar comparison can be made between New Mexico and neighboring states for annual day use passes. New Mexico's ADU pricing is lower than the state's neighbors.

Table 4. Annual Day Use Pricing Comparison

STATE	ADU PASS FEE	NOTES
New Mexico	\$40 (per hang-tag placard)	ADU passes in New Mexico travel with their purchaser, not with a specific vehicle; however, one ADU pass per vehicle is necessary.
Arizona⁹	\$75 for a standard pass; \$200 includes parks with guided tours	Arizona offers two tiers of ADU passes – a standard and a premium. The standard pass does not allow use on weekends and state holidays during the busy season. The premium pass is good for entrance year-round.
Colorado¹⁰	\$80-120/vehicle	Colorado offers a twelve-month ADU vehicle pass at \$80 that is affixed to a specific vehicle, and pass-holders can purchase additional vehicle passes at \$40 each. Colorado offers a Family Annual Parks Pass for \$120 that is a hang tag placard similar to our ADU that can be transferred between vehicles.
Nevada¹¹	\$75/vehicle	Nevada offers a twelve-month ADU pass which can be used on two vehicles (though only one at a time).

¹⁰ <https://azstateparks.com/passes-and-gift-cards>

¹⁰ <https://cpw.state.co.us/buyapply/Pages/AnnualPassInfo.aspx>

¹¹ <http://parks.nv.gov/fees/annual-permits>

Texas ¹²	\$70/person	Texas charges per person for its ADU, with a discounted rate of \$25/person for additional pass-holders in the same household.
Utah ¹³	\$125/vehicle for Utah State Resident \$175/vehicle for Non-resident	Utah also offers a senior discount ADU at \$65/vehicle. Utah ADU passes are good for the calendar year in which they are purchased and expire on 12/31 each year.

It is clear that New Mexico’s Day Use and Annual Day Use Pass rates are substantially out of pace with our neighbors – particularly in the case of ADU Passes, where New Mexico’s rate is around half of what other states charge.

EVALUATION OF STATE PARK CAMPING FEES

Camping fees are the most critical revenue stream for the success of state park systems, nationally.¹⁴ State Parks are no exception as camping revenue averaged \$2.65 million yearly from FY 19 to FY20, making up approximately two thirds of State Parks self-generated revenue.

CAMPING OPERATIONS

State Parks currently offer two types of camping: primitive camping and developed camping. Primitive campsites are those without facilities, and campsites are often on beaches: a salient example is Elephant Butte Lake State Park’s extensive camping on the shoreline of the lake. New Mexico charges \$8 per night, per vehicle, for primitive camping. Approximately 144,000 visitors a year use primitive camping sites.¹⁵

Developed camping provides park visitors with more amenities, including electricity and sewer hookups, fire pits, and water. Currently, New Mexico charges \$10 per night, per vehicle, to occupy a developed campsite, with surcharges for utilities at the site including: \$4 for electricity and \$4 for sewer, for a total of \$8. Utility charges are just charged to the first vehicle in the site. Additional vehicles only pay the standard \$10 camping fee per vehicle. State Parks does not charge visitors for water currently. None of these fees have changed since 1998, when they were instituted. They have neither kept up with inflation nor with the increased electricity and sewer needs of visitors. Modern and large recreational vehicles (RVs) require between 50 to 100 amps of electricity – much more than an RV from 1998, when these fees were set.

Additionally, deferred maintenance in some State Parks has created pressures on utility service availability. One case in point is Bottomless Lakes State Park, where three miles of waterline are being replaced to adequately support developed campgrounds and State Park facilities. The replacement of that line is estimated to cost approximately \$3 million.

Many visitors who stay at developed campsites drive RVs. State Parks have 23 RV dump stations throughout the state and does not charge for RV waste dumping at dump stations. These stations provide a visitor convenience, encouraging proper RV waste disposal. However, these dump stations are expensive to build and maintain; the new dump station constructed at Bluewater Lake State Park in 2019 cost \$372,000. These construction costs continue to rise. Just two years later a similar dump station constructed at Storrie Lake State Park cost

¹² <https://tpwd.texas.gov/state-parks/park-information/passes>

¹³ <https://parkspass.zendesk.com/hc/en-us/articles/1260805519449-Annual-Passes>

¹⁴ National Association of State Parks. Annual Information Exchange 2017-2018:39.

¹⁵ Internal data, State Parks Division.

\$489,492. In addition, many existing dump stations need to be upgraded due to tightened regulations regarding RV waste disposal, and these upgrades represent another area of costly construction, operation, and maintenance for the State Parks system.

CAMPING FEE COLLECTION METHODS

Camping fees are collected in a similar fashion to day use fees: through self-pay envelopes deposited in ‘iron rangers’, at pay booths or kiosks, at visitor centers, or through the ReserveAmerica online reservation system.

CAMPING FEE COMPARISONS

State parks systems in New Mexico’s neighboring states have higher camping fees for both primitive and developed camping than New Mexico does. Some neighboring states also charge for amenities like RV dumping for non-park users –Arizona’s Lake Havasu State Park, charges a \$15 RV dump fee.¹⁶ (many of New Mexico’s private gas stations with RV facilities charge a similar amount for waste dumping -- \$10-\$20.)¹⁷

Fees for primitive camping in surrounding states range from \$2-\$15 more per vehicle per night than New Mexico’s \$8 fee, as shown in the following table.

Table 5. Primitive Camping Fee Comparison

STATE	PRIMITIVE CAMPING FEE	NOTES
New Mexico	\$8/night	The fee is charged per vehicle.
Arizona¹⁸	\$15-\$25/night	Arizona’s primitive camping fee varies by park and is for one vehicle. Additional vehicles are charged at \$15/vehicle.
Colorado¹⁹	\$14-\$18/night	Colorado’s primitive camping fee varies by park and is charged in addition to the park entrance fee.
Nevada²⁰	\$15-\$18/night	Nevada’s primitive camping fee varies by park.
Texas²¹	\$5-15/night	Texas charges \$10 for ‘dry’ campsites, with no water and no other utilities.
Utah²²	\$10-\$15/night	Most Utah campsites are developed in some way.

Developed camping fees in the state parks of surrounding states are also higher than New Mexico’s fee. The average low-end value for fees in neighboring states is \$25/night per vehicle – a full two and a half times higher than the New Mexico fee of \$10, and still \$7 more than the \$18 fee of camping plus utility.

Table 6. Developed Camping Fee Comparisons

¹⁶ <https://azstateparks.com/lake-havasus/explore/facility-information>

¹⁷ Internal survey of dump fees at gas stations, New Mexico State Parks Division, 2020. See Appendix 3 for full dataset.

¹⁸ <https://azstateparks.com/fee-schedule/>

¹⁹ <https://cpw.state.co.us/buyapply/Pages/ReservationFees.aspx>

²⁰ <http://parks.nv.gov/fees/fees-by-park>

²¹ AIX Project Team 2019-2020:39

²² AIX Project Team 2019-2020:39

STATE	DEVELOPED CAMPING FEE	NOTES
New Mexico	\$10/night	The fee is charged per vehicle. There is an additional \$4 fee each for electricity and sewer hookups, where available.
Arizona²³	\$15-\$50/night for developed campsites; \$35-\$139/night for cabins	Arizona's developed camping fee varies by park and level of amenities offered and has a reservation surcharge of \$5.
Colorado²⁴	\$22-\$41/night	Colorado's developed camping fee varies by park and level of amenities offered. All camping must be reserved.
Nevada²⁵	\$14-30/night	Nevada charges an additional \$15 per vehicle at the campsite.
Texas²⁶	\$12-\$25/night	Texas's developed camping fee varies by park, level of amenity, and time of year. Campers must also pay a daily use fee per person.
Utah²⁷	\$15-\$40/night; up to \$350/night for yurts, group reservations, etc.	Utah's developed camping fee varies by park and level of amenities offered. There is a \$8 reservation surcharge.

Developed camping fees at private campgrounds in New Mexico also tend to be much higher than the fee charged by State Parks. A survey of ten private campgrounds in the Albuquerque area indicated that they start from \$33 per night and range up to \$96 per night.²⁸ Anecdotally, the Division has heard from private campground owners that they would like to see the price of State Parks developed campsites increase, as they face competition with inexpensive State Parks campsites that causes strain on their businesses.

EVALUATION OF STATE PARK ANNUAL CAMPING PASS FEES

New Mexico is one of only four state park systems in the nation which offers some form of annual camping pass. (The others are Kansas, Nevada, and Wyoming.) Sales of Annual Camping Passes make up a small but not insignificant portion of self-generated revenue in New Mexico's system: an average of \$309,798 per year, with approximately 2,497 ACPs sold per year.²⁹ This is 13% of camping revenue annually.

The ACP is the only pass for which New Mexico currently differentiates between New Mexico resident and non-resident visitor fees, in addition to offering discounts for New Mexico residents who are seniors or people with disabilities. The standard Annual Camping Pass fee for a New Mexico resident is \$180; the discounted fee is \$100.

²³ <https://azstateparks.com/fee-schedule/>

²⁴ <https://cpw.state.co.us/buyapply/Pages/ReservationFees.aspx>

²⁵ <http://parks.nv.gov/fees/fees-by-park>

²⁶ AIX Project Team 2019-2020:39

²⁷ AIX Project Team 2019-2020:39

²⁸ Internal study, State Parks Division, 2023. See Appendix 4 for study data.

²⁹ These figures come from an averaging of FY18, FY19, FY20, FY21, and FY22 data. The values are smaller for FY20 due to COVID-19 closures and associated refunds of ACP fees.

non-resident visitors must pay \$225. Replacement (not renewal) passes are an additional \$10. ACP rates have not been adjusted since 2004.

The following table describes the average distribution of, and revenue generated from, Annual Camping Passes in FY 18 – FY22.³⁰

Table 7. Annual Camping Pass Revenue

ACP TYPE	AVERAGE ACPs SOLD	AVERAGE REVENUE GENERATED	PERCENTAGE REVENUE GENERATED
Resident Senior	1,474	\$147,300	48%
Resident	292	\$52,560	17%
Resident Disabled	189	\$18,900	6%
Non-Resident	398	\$89,550	29%
Replacement	145	\$1,450	0.5%

Most revenue derives from residents of New Mexico, with a significant portion of that revenue coming from discounted senior passes. Non-resident passes generate only 29% of the average revenue, despite having the highest fee.

COMPARISON OF ANNUAL CAMPING PASS RATES

As mentioned above, New Mexico is one of only four states to offer a form of annual camping pass. Kansas offers an annual camping pass for \$202.50 or \$252.50 depending on when the pass is purchased. The Kansas ACP does not cover utility fees or prime site fees, which vary by park.³¹ Similarly, Wyoming residents can purchase an annual camping pass for only \$89.60 – but they must continue to pay park entrance and day use fees, and the pass does not guarantee reservations.³² Nevada’s All Access Permit, at \$250, allows Nevada residents to use all park facilities including camping. Users must pay an additional \$10 fee for campsites with utility hook ups.

Aside from Wyoming, whose low rate is an outlier, states that offer an ACP charge at least \$200 per pass. New Mexico and Nevada are the only two states which allow non-residents to purchase ACPs or ACP-equivalents.

OPERATIONAL IMPACTS OF ANNUAL CAMPING PASSES

Annual Camping Passes, while creating a substantive amount of revenue for the Division, also have significant negative impacts on State Park operations. These are summarized below.

ACPs Cost the State Revenue

ACPs are exceptionally cost-effective for State Park visitors. A non-resident ACP holder can stay in State Parks for free after 22 days of camping, aside from any electric or sewer hook-up fees applicable to their campsite (\$4 per hook-up, per night). For a resident ACP holder, their stay is free after only 18 days of camping. The state sees no revenue from further camping from ACP holders.

³⁰ Internal data, State Parks Division.

³¹ <https://ksoutdoors.com/State-Parks/Park-Fees>

³² <https://wyoparks.wyo.gov/index.php/permits-reservations/permits-fees>

ACPs Reduce Access to High-Demand Camping Sites

ACP holders have an advantage over pay-by-day users when reserving high-demand campsites: they can afford to stay longer, e.g., over holiday weekends. This advantage reduces the number of State Park visitors able to experience the most desirable park facilities.

ACPs Encourage Non-Recreation Use of State Parks

The combination of the New Mexico ACP's affordability and its conferral of unlimited length of stay privileges on pass-holders has, in some cases, created an opportunity for non-recreational use of State Parks: essentially, the ACP becomes a domestic living pass for many New Mexico residents and visiting non-residents, who dwell in State Parks for free.

As an illustrative example, consider an ACP holder who spends 14 days – the maximum stay – in a State Park that offers full amenities, including restrooms, tables, grills, shelters, a campground host, and law enforcement. The ACP holder must then leave that State Park for at least six days before returning for another fourteen-day stay. ACP holders who are taking advantage of the pass will move to another State Park – free of charge – for those days and then return to their preferred State Park for another fourteen-day stretch. This type of use stresses facilities and infrastructure and increases operations costs, for little one-time revenue.

An analysis of ReserveAmerica reservations shows that this non-recreational use of ACPs is frequent enough to be a genuine problem for State Park operations. While ReserveAmerica does not track the use of every ACP within the State Park system, it does provide a reasonable snapshot of ACP use within a given year. State Parks used ReserveAmerica to look at ACP use patterns in the southwest region of the state during FY19. This region includes the largest park, Elephant Butte Lake State Park, as well as Caballo Lake, Percha Dam, City of Rocks, Rockhound, Leasburg, and Pancho Villa State Parks. These State Parks are very popular throughout the year, due to their water resources in the summer and their temperate winters, attracting “snowbirds” and visitors who travel year-round to campgrounds across the state and country.

This analysis showed that there were 52 ACPs used for more than 28 days in FY19 in the southwest region. The majority of these passes were held by out-of-state visitors (39), while only 13 pass-holders resided in New Mexico. Of those 52 passes used for more than 28 days, one pass-holder resided in State Parks for an entire year; another for 7.4 months; another for 6 months; three pass-holders resided in parks for 3.7 months; and two more for 3.2 months. These long-stay pass-holders moved from State Park to State Park to ensure that they did not violate the fourteen-day stay limit – while functionally living rent-free in State Park campgrounds.

ACPs allow the manipulation of the reservation system resulting in negative impacts to other customers.

Currently ACP holders can utilize their ACP to reserve sites through ReserveAmerica by only paying the reservation fee. ACP holders can use the same ACP for several sites within the same park, or at several different parks even though they will only utilize one site. This multiple booking prevents other users from reserving sites and causes excess work for staff to verify reservations and ACP passes and cancel reservations that are not used. Sites that are reserved and not used cause a loss of revenue for the Division.

Visitors utilize the ACP to save camping sites especially on busy holiday weekends.

The use of an ACP allows the holder to leave their RV or camping unit in campsites without payment of fees allowing visitors to leave camping equipment in sites essentially reserving the site.

EVALUATION OF NEW MEXICO BOAT REGISTRATION FEES

A major element essential to providing quality recreation in New Mexico is ensuring adequate access to recreational boating and fishing opportunities. The Division is charged with managing boating programs and boater access on 20 lakes within State Parks. Additionally, the Division is responsible for enforcing the New Mexico Boat Act (NMSA 66-12-1 1978) to promote safety for persons and property in and connected with the use, operation, and equipment of vessels and to promote the uniformity of laws relating thereto. Management of this program includes inspecting vessels, ensuring boater safety, enforcement of rules and regulations related to navigation, investigation of boat accidents, boat safety education, and construction and maintenance of boating facilities.

To manage these programs, the Division relies on boat registration fees which are matched with federal funding from the United States Coast Guard Recreational Boating Safety (RBS) program. The RBS program is dedicated towards assisting the States and U.S. Territories with programs to protect recreational boaters. These federal recreational boating funds must be matched with state funds on a 1:1 basis which leverages each state dollar to establish on average a \$1.8 million boating program. The purpose of the RBS program is to permit the states to assume the primary share of boating safety education, assistance, and enforcement activities and to assist the states in carrying out a state recreational boating safety program and encouraging greater state participation and uniformity in boating safety. Each state must agree to provide non-federal amounts of fund match to complete recreational boating safety program objectives. The match can be derived from general state revenues, vessel number fees, marine fuel taxes or from a fund constituted from the proceeds of those taxes and established to finance the state boating program.

The boat registration fees in New Mexico have not been amended in nearly 40 years (since 1984) and are significantly lower than registration fees in all surrounding states. In fact, most states currently charge for a one-year registration what New Mexico is charging for a three-year registration.

The following table outlines current registration fees for New Mexico vessels and what the inflation adjusted cost would be:

Table 7. New Mexico Vessel Registration (3-year cycle) Fees with Inflation Adjusted Cost

Vessel Class	Current Registration Fee	Inflation Adjusted Fee ³³
Class A: less than 16 feet	\$28.50	\$83.67
Class I: 16 feet to less than 26 feet	\$36.00	\$105.69
Class II: 26 feet to less than 40 feet	\$43.50	\$127.70
Class III: 40 feet to less than 65 feet	\$51.00	\$149.73
65 feet and over	\$66.00	\$193.77
Duplicate Registration	\$5.00	\$14.68

The following table shows a comparison of surrounding states registration fees for vessels. Most surrounding states register vessels on a per year basis so states with two- or three-year registration fees have been divided appropriately to give an accurate comparison of costs per year.

Table 8. Vessel Registration Fees Comparison

State	Class A	Class I	Class II	Class III	65 feet and over
NM (3-year cycle)	\$9.50	\$12.00	\$14.50	\$17.00	\$22.00

³³ https://www.bls.gov/data/inflation_calculator.htm

Texas (2-year cycle)	\$16.00	\$26.50	\$55.00	\$75.00	\$75.00
Arizona (Varies)	\$22.00	\$30-35.00	\$39.00	\$44.00	\$66.00
Colorado*(1-year cycle)	\$35.25	\$45.25	N/A	\$75.25	\$75.25

*Colorado registration does not include all the classes that New Mexico does.

When compared with other states and with inflation factored in, it is obvious that New Mexico is far behind where we should be with boat registration fees. Increasing boat registration fees will ensure that the Division will be able to keep up with the maintenance of existing boating facilities and development of new facilities.

While increasing boat registration fees will provide additional funding for needed maintenance and operations, increasing the registration fees places the full burden for these costs on New Mexico Residents. Several of our parks provide recreation for many out-of-state visitors. Parks on the border of Texas such as Ute and Elephant Butte see regular visitation from non-residents. To increase funding for boat access the Division should consider boat launch fees for non-resident vessels. The addition of a \$10.00 per launch fee for out of state vessels could ensure non-resident users of boating facilities pay their fair share of operational and maintenance costs.

Currently, New Mexico only charges registration fees for motorized vessels. There is no charge for non-motorized vessels to access the waterways in State Parks, other than standard day use entrance fees. The popularity of non-motorized vessels, particularly recreational kayaking and stand-up paddle boards is growing. State Parks is experiencing an increase in the number of non-motorized vessels on our state waterways³⁴. Non-motorized vessels utilize aids to navigation, boat launch areas and roadways, and dedicated boating facilities and amenities such as restrooms, parking lots, etc. Non-motorized vessel users also benefit from boating safety education programs, on the water support and enforcement patrols, but they do not currently contribute to supporting the State Parks boating program financially.

There has been an ongoing nationwide discussion regarding the best way to ensure non-motorized vessel users are contributing to the maintenance of boating safety programs³⁵. For example, thirteen states require launch fees for paddle craft at the state level with fees ranging from \$2-\$25/day or \$12-\$200/year depending on resident status. The average daily launch fee is \$10.92/day and annual launch fees average \$91.27/year. Five more states require registration for paddle craft ranging from \$5-\$21/year (mostly with only a 2 and 3 year option). Nine additional states have local, county or privately assessed launch fees ranging from \$4-\$10/day and up to \$600 for a non-resident annual (Michigan). In 27 states, some type of fee requirement (public or private), such as a launch fee or registration fee is required of non-motorized vessel users. According to the Outdoor Foundation's 2021 report, kayaking has seen a 32% increase in participation over the previous 5-years, generating \$646 million in sales revenue. In a report from the Outdoor Retailer, paddle sports sales have seen an overall increase of 23% from 2020-2023 with standup paddleboard sales up 59% over pre-pandemic sales.

The addition of a \$5.00 paddle craft launch fee could ensure that users of non-motorized vessels pay their fair share of administration, operational, and maintenance costs for boating access, education, and enforcement programs in New Mexico.

³⁴ 2019 Special Report on Paddlesports and Safety by the Outdoor Foundation:
https://cdn.ymaws.com/www.americancanoe.org/resource/resmgr/sei-educational_resources/2019_Special_Report_on_Paddl.pdf

³⁵ Non-motorized Boating National Survey Results A Synopsis, Oregon State Marine Board

EVALUATION OF STATE PARK SPECIAL, RENTAL, AND CONCESSION FEES

In addition to standard camping and day use fees, the Division collects fees for special events, cabin and yurt rentals, group shelter rentals, facility rentals, and concession operations. These fees must be evaluated and may require adjustment as well.

CABIN AND YURT FEES

Cabin and yurt rental fees are a new addition to parks. The first yurts were added to Hyde Memorial State Park in 2018. While Hyde Memorial State Park is the only park that has yurts or cabins currently, we are in the process of adding cabins to other parks including Coyote Creek and Sugarite Canyon. Currently fees for yurts and cabins are \$150 per night during the main season and \$80 per night during the off season. There is a \$100 deposit required for cabins and yurts that is refundable upon inspection of the facility after the rental.

Cabin and yurt rental fees vary widely in surrounding states. The following table compares fees charged in surrounding states to those of New Mexico.

Table 9. Cabin/Yurt Fees Comparison

STATE	CABIN/YURT FEE	NOTES
New Mexico	\$80-150/night	The fee during peak season is \$150 per night with the fee for off season being \$80 per night. There is a \$100 cleaning/damage deposit.
Arizona³⁶	\$35-\$139/night	The fee varies depending on park and type of cabin.
Colorado³⁷	\$90-\$270/night	Colorado State Parks cabin fees vary by park and type of cabin. There are some cabins that house more individuals and rent for higher rates.
Nevada³⁸	\$90-\$95/night	Nevada fees for non-residents are higher at \$95-\$100 per night.
Texas³⁹	\$40-\$200/night	Texas has a wide range of lodging options including cabins, glamping, and lodge rentals. The cabins they rent vary in size and amenities offered.
Utah⁴⁰	\$45-\$90/night	Utah has a wide range of cabins and fees vary depending on amenities available and season.

Given that yurt and cabin fees for State Parks were introduced in 2018 and the fact that the fees are comparable with other states, there is no need for an increase at this time. The rule should be amended however to allow for flexible fee structures with cabins that can vary by park and depending on the amenities offered.

SPECIAL USE FEES

State Parks often host special events such as public assemblies, regattas, boat races, marine parades, tournaments, and exhibitions. To control these activities and ensure the protection of the resource, special use

³⁶ <https://azstateparks.com/fee-schedule/>

³⁷ <https://cpw.state.co.us/thingstodo/Pages/CabinYurts.aspx>

³⁸ <http://parks.nv.gov/fees/fees-by-park>

³⁹ <https://tpwd.texas.gov/state-parks/park-information/facilities/lodging>

⁴⁰ AIX Project Team 2019-2020:38

permits are issued for such activities. The special use permit is a flat fee, but additional fees may be added depending on needed services that impact park operations. The special use permit form outlines the fees that can be charged (appendix 4). The current special use permit fee was implemented in 2004 and is a \$15 fee. If adjusted for inflation, this fee today would be \$24.45. The Division should adjust the special use permit fee to \$25 to account for inflation and re-evaluate fees outlined in the special use permit form.

CONCESSION PERMIT FEES

State Parks have several types of concession permits and associated fees. For example, we have guide and outfitter concession permits, food concession permits, resource protection, educational exhibitors, and other services; marina, boat storage, and similar fixed asset facility and infrastructure concessions require a contract approved by DFA. Our current permit fee structure for guides, fishing services, boating, and rafting excursions is \$500 for Navajo Lake State Park and \$300 for the other parks (yearly fee and the concessionaire must reapply each year they wish to maintain the concession). For educational, park resource protection services, and other services, such as food vendors, the yearly permit fee is \$300. The permit is good only in the park indicated on the permit form with two exceptions: Elephant Butte Lake/Caballo Lake/Percha Dam and El Vado Lake/Heron Lake. Additional permits and fees are required per additional park requested by the concession permittee. For guides and outfitters, additional guide cards for employees can be requested at \$500 per additional card for Navajo Lake State Park and \$300 per additional card at the other parks.

A comparison of nearby states' concession or commercial retail permits is not straightforward because of how a state classifies concessions. For example, New Mexico's fees are in line with Arizona State Parks which charges \$300 for a yearly commercial retail permit which allows up to 4 people to enter the park in the marked commercial vehicle and the purchase of additional permits for \$150. They also have a "cliente voucher" for \$5 that a permit holder can purchase for a one-time associated park entrance and are not transferable. Conversely, Texas and Colorado State Parks do not list fees for special concessions or activity permits, and instead note that the Park manager will determine what the fees will be based on the size and impacts of the proposed activity or concession. Colorado State Parks has a \$30 nonrefundable permit application processing fee and a 7% of gross fee within 30 days of a one-time "event." Utah State Parks requires responses to RFPs for concessions, and the fees are negotiated with the contract through an annual lump sum or a monthly percentage of gross receipts; their structure is similar to New Mexico's contracted concessions (e.g., marinas) and they do not appear to have shorter-term permit type concessions for guides or food vendors. As a result, direct comparisons cannot be made with Colorado, Texas, or Utah.

The \$300 standard concession fee does present issues with vendors who want to set up in parks for short periods of time. The annual fee doesn't take into consideration allowing vendors to set up in parks for special events or short-term sales. This discourages vendors from participating in events that the parks hold on a regular basis. The establishment of a short-term concession permit would be beneficial for these needs.

OPTIONS FOR STATE PARK FEES ADJUSTMENT

Based on the above analysis, the Division has created scenarios for adjusting State Park fees. Each scenario is accompanied by revenue projections.

All scenarios evaluated include the elimination of the primitive camping fee category and including this activity within the developed camping fee category. All parks that have primitive camping also include various

amenities including solid waste service, water service, and restroom facilities. Additionally, park rangers patrol these primitive areas just as they do other areas of the park. Eliminating the primitive camping fee and including it as part of the developed camping fee ensures that the burden of these services is shared among all park visitors.

The outlined options below provide flexibility for proposed strategies to be customized to take advantage of and maximize the application of fees adjustments.

OPTION 1: ELIMINATION OF ANNUAL CAMPING PASSES

If New Mexico were to eliminate the Annual Camping Pass, joining most states, camping revenue would likely *increase*. New Mexico residents and non-residents who wished to spend extensive amounts of time in State Park campgrounds would need to pay for their entire stay, rather than staying with no further charges (save for utility hook-up fees and reservation fees) after 18 or 22 days respectively. Furthermore, eliminating the ACP would reduce the amount of non-recreational use of State Parks, lower the incidences of camper equipment storage in State Parks, and provide visitors more access to high-demand campsites – increasing revenue while reducing operational costs.

OPTION 2: BOAT REGISTRATION FEES ADJUSTMENTS

As discussed above, boat registration fees for the state of New Mexico are significantly under the regional average and haven't been adjusted in nearly 40 years. The adjustment of boat registration fees should be a part of any fee's adjustment strategy selected. Currently registration fees for vessels range from \$28.50-\$66.00 for a three-year registration period. In comparison, OHV registration for the state is \$50 for a two-year registration period. In addition to the adjustment of boat registration fees, the implementation of a \$10 motorized vessel launch fee for all non-resident vessels should be added as well as a \$5 per human powered paddle craft launch fee for all human powered paddle craft.

The following table shows the revenue impact of adjusting boat registration fees to account for inflation and regional parity. The table provides estimates based on average annual boat registration data that changes from year to year.

Table 10. Proposed Vessel Registration (3-year cycle) Fees and Associated Revenue Impacts

Registration Type	Current Fee	Current Annual Revenue	Proposed Fee	Estimated Revenue Impact	Notes
Class A	\$28.50	\$342,370	\$75.00	\$900,975 (+\$558,604)	Based on an average annual registration of 12,013 vessels.
Class I	\$36.00	\$609,120	\$90.00	\$1,522,800 (+\$913,680)	Based on an average annual registration of 16,920 vessels.
Class II	\$43.50	\$25,317	\$120.00	\$69,840 (+\$44,523)	Based on an average annual registration of 582 vessels.
Class III	\$51.00	\$3,825	\$150.00	\$11,250 (+\$7,425)	Based on an average annual registration of 75 vessels.
>65 feet	\$66.00	\$792	\$180.00	\$2,160 (+\$1,368)	Based on an average annual registration of 12 vessels.
Totals		\$981,424		\$2,507,025 (+\$1,525,601)	

OPTION 3: LIVING DESERT FEES ADJUSTMENTS

Living Desert is unique among parks with their fee structure. The fee structure for Living Desert Zoo and Gardens is based on a per person entry. There are reduced fees for children, Association of Zoo and Aquarium members, and groups. The current fee structure was implemented in 2004 and at a minimum, fees for the LDZG should be increased to keep pace with inflation.

The table below shows a comparison of current rates and what those rates would look like based on current inflation.

Table 11. Living Desert Zoo and Gardens Current Fees and Inflation Adjusted Fees

Ticket Type	Current Fee	Inflation adjusted fee ⁴¹
Adult	\$5.00	\$8.91
Child (7-12)	\$3.00	\$5.35
Youth school group	\$0.50	\$0.89
Adult Group Admission	\$3.00	\$5.35
AZA Adult	\$2.50	\$4.46
AZA Child	\$1.50	\$2.67

Table 12 outlines proposed fees increases for Living Desert specifically and these adjustments should be included in whatever options are finalized.

Table 12. Proposed Fee Adjustment for Living Desert Zoo and Gardens

Fee Type	Current Fee	Current Annual Revenue	Proposed Fee	Estimated Revenue Impact	Notes
Adult	\$5.00	\$95,000	\$10.00	\$190,000 (+\$95,000)	Estimated 19,000 visitors based on Calendar year 2022 Visitation.
Child (7-12)	\$3.00	\$10,500	\$5.00	\$17,500 (+\$7,000)	Estimated 3,500 visitors based on calendar year 2022 visitation.
Adult Group	\$3.00	\$453	\$5.00	\$755 (+\$302)	Estimated 151 visitors based on calendar year 2022 visitation.
School Group	\$0.50	\$500	\$1.00	\$1,000 (+\$500)	Estimated 1,000 visitors based on calendar year 2022 visitation.
AZA Adult	\$2.50	\$687.5	\$5.00	\$1,375 (+\$687.50)	Estimated 275 visitors based on calendar year 2022 visitation.
AZA Child	\$1.50	\$112.50	\$3.00	\$225 (+\$112.50)	Estimated 75 visitors based on calendar year 2022 visitation.
Totals		\$107,253		\$210,855 (+\$103,602)	

OPTION 4: SMOKEY BEAR HISTORICAL PARK FEES ADJUSTMENTS

⁴¹ https://www.bls.gov/data/inflation_calculator.htm

The Smokey Bear Historical Park (Park) is a unique site, with a small 3600 square-foot museum and a 3-acre botanical garden. This Park is owned by the Division but operated by the New Mexico State Forestry Division (State Forestry) a division of the Energy, Minerals and Natural Resources Department. All visitor fees collected at this Park are revenue for State Forestry. However, the fees for this Park are included in the same administrative rule that outlines State Park fees.

The Park provides visitors with educational opportunities related to forestry and wildfire management in the state. Smokey Bear, the living symbol of wildfire prevention is buried on the site. The Park is also the home of the State of New Mexico's Memorial to Fallen Wildland Firefighters. The site is a unique combination of a historic site, a museum, botanical gardens, a conservation and environmental education center, and a memorial.

State Forestry has provided the suggested fees schedule below based on a review of New Mexico museum and historic site entry fees.

Table 13. Smokey Bear Historical Park Current and Proposed Fees

PASS TYPE	CURRENT COST	PROPOSED COST
Adult	\$2.00	\$6.00
Senior	N/A	\$4.00
Youth (7-12)	\$1.00	\$3.00
Youth (under 7)	Free	Free
Youth School Groups	Free	Free
Bus	\$15.00	\$15.00

OPTION 5: ADJUST STATE PARK FEES FOR INFLATION AND REGIONAL PARITY (THIS OPTION CAN ACCOMMODATE FOR FREE DAY USE FEES)

The first option eliminates the Annual Camping Pass and adjusts all other fees for inflation and to achieve regional parity with New Mexico's neighboring states. This option also adds a dump station fee to help defray RV costs to parks with dump stations.

The following chart shows how State Parks fees have not kept pace with inflation over the past two decades and uses the Federal Bureau of Labor Statistics values to calculate what fees would look like now if they were pegged to inflation. In some cases, the difference approaches \$100.

Table 14. Park Fees Inflation Adjustment

PASS TYPE	CURRENT COST	INFLATION-ADJUSTED COST ⁴²
Day Use		
Per Vehicle	\$5	\$8.01
Annual Day Use Pass (ADU)		
Annual Day Use	\$40	\$59.87
Disabled Veterans	Free	Free
Foster Families	Free	Free
Camping		

⁴² https://www.bls.gov/data/inflation_calculator.htm

Primitive	\$8	\$14.69
Developed	\$10	\$18.37
Developed with one utility	\$14	\$25.71
All utilities	\$18	\$33.06
Annual Camping Pass (ACP)		
Resident	\$180	\$288.46
Resident Senior	\$100	\$160.26
Resident Disabled	\$100	\$160.26
Out of State	\$225	\$360.58
Replacement	\$10	\$16.03

If New Mexico were to increase State Park fees to account for inflation and to more closely match the fees charged by our nearest neighbors, State Parks revenues would increase substantially, helping to tackle maintenance backlogs, technological improvements, and to preserve State Parks for future generations. New Mexico would not be alone in recent fees increases, either – in 2019, Colorado adjusted its fees schedule upward to match Utah’s more closely.⁴³

The following table shows the revenue impact of adjusting State Park fees to account for inflation and regional parity, while eliminating the Annual Camping Pass. As discussed above, New Mexico is one of very few states which still provide an annual camping pass, and the ACP – while generating some revenue – has operational impacts on State Parks which are more costly than the revenue the passes provide. ACPs also encourage non-recreational use of State Parks and eliminating them would discourage this behavior.

Table 15. Option 5 Fees Adjustment and Estimated Revenue Impact

Fee Type	Current Rate	Current Revenue	Proposed Rate	Estimated Revenue Impact	Notes
Day Use	\$5/vehicle	\$1,150,000	\$10/vehicle	\$2,300,000 (+\$1,150,000)	Assuming 230,000 day-use visits (FY19-FY22 average).
Annual Day Use	\$40/year	\$295,400	\$100/year	\$738,500 (+\$443,100)	Assuming 7,385 ADU passes sold (FY18-FY22 average). A \$100 ADU rate is similar to neighboring states, like Colorado and Arizona.
Primitive Camping	\$8/night	\$1,152,000	Combine Primitive Camping Fee with Developed	(-\$1,152,000)	Assuming 144,000 nights of primitive camping (FY17-FY19 average, taken as an estimated proportion of total camping visits ⁴⁴). A \$15/night rate

⁴³ <https://www.craigdailynews.com/news/fee-changes-at-colorados-state-parks-in-2019-to-secure-parks-for-future-generations-officials-say/>

⁴⁴ Proportions of camping visits for primitive vs. developed camping are calculated by looking at the ratio of primitive vs. developed camping reservations in the ReserveAmerica inventory, and then estimating proportionately from total camping revenue (less ACP revenue). For a more accurate estimate of nights of developed camping, primitive camping, and utility fees, more camping inventory will need to be available on ReserveAmerica.

			Camping Fee		matches Utah and Colorado's rates.
Camping	\$10/night	\$2,048,000	\$20/night	\$6,976,000 (+\$4,928,000)	Assuming 348,800 nights of developed camping (FY17-FY19 average, taken as an estimated proportion of total camping visits. ⁴⁰) A \$20/night rate is higher than inflation-adjusted rates, but lower than most neighboring states.
Electric Service	\$4/night	\$100,000	\$10/night	\$250,000 (+\$150,000)	Assuming 25,000 service payments per year.
Water Service	0	0	\$10/night	\$250,000 (+\$150,000)	Assuming 25,000 service payments per year.
Sewer Service	\$4/night	\$100,000	\$10/night	\$250,000 (+\$150,000)	Assuming 25,000 service payments per year.
Dump Station Fee	NONE	\$0	\$10/use	\$250,000 (+\$250,000)	Assuming 25,000 service payments per year.
TOTALS		\$4,845,400		\$10,764,500	Adjusting fees to reflect inflation and regional parity increases State Parks revenue by an estimated \$5.92 million.

OPTION 6: INCREASE STATE PARK FEES AND IMPLEMENT DIFFERENTIATED RESIDENT / NON-RESIDENT FEES (THIS OPTION CAN ACCOMMODATE FOR FREE DAY USE FEES)

Another option for adjusting State Park fees would be to increase fees for New Mexico residents and charge additional fees for non-resident visitors. Residents of other states – particularly Texas, Colorado, and Arizona – make up approximately 40% of camping visitors to New Mexico each year.⁴⁵ These visitors are coming to New Mexico from states with much higher state park fees structures. Increasing New Mexico's fees for non-residents would support local recreation while still providing a much-needed revenue increase.

New Mexico wouldn't be the only state to adjust fees for non-residents recently. In August 2020, Oregon State Parks undertook a fees increase for out-of-state visitors, in response to the COVID-19 pandemic, aiming to close a revenue gap as well as encourage local recreation. Campsite rates for non-residents increased up to 30%. Full-service RV campsites went from \$33 per night to \$42 per night for non-residents, and primitive camping went from \$19 to \$23 per night for non-residents. Oregon anticipated that the non-resident surcharge could generate up to \$500,000 through the end of 2020, funding which could be used to hire staff and pay for cleaning supplies and other park operations.⁴⁶

This option, as detailed in the table below, increases utility fees across the board and institutes a dumping fee. Non-resident visitors bear a larger burden in this model. This model is consistent with the first option in the elimination of the annual camping permit.

⁴⁵ Proportions of resident and non-resident use of passes are calculated via ReserveAmerica ratios and extrapolating outward.

⁴⁶ <https://www.oregon.gov/oprd/AO/documents/NEWS-2020-09-temporary-rate-surcharge.pdf>

Table 16. Option 6 Fees Adjustment and Estimated Revenue Impacts

Fee Type	Current Rate	Current Revenue	Proposed Rate	Estimated Revenue Impact	Notes
Day Use	\$5/vehicle	\$1,150,000	\$10/vehicle	\$2,300,000 (+\$1,150,000)	Assuming 230,000 day-use visits (FY19-FY22 average). Day use passes are not differentiated between non-resident and resident visitors.
Annual Day Use – Resident	\$40/year	\$259,960	\$100/year	\$649,000 (+\$389,940)	Assuming 7,385 ADU passes sold (FY18-FY22 average), of which 88% [6,499] are purchased by New Mexico residents. ⁴⁵
Annual Day Use – Non-Resident	\$40/year	\$35,440	\$150/year	\$132,900 (+\$97,460)	Assuming 7,385 ADU passes sold (FY18-FY22 average), of which 12% (886) are purchased by non-residents. ⁴⁵
Primitive Camping – Resident	\$8/night	\$691,200	Combine Primitive Camping Fee with Developed Camping Fee	(-\$691,200)	Assuming 144,000 nights of primitive camping (FY17-FY19 average, taken as an estimated proportion of total camping visits ⁴⁴), of which 60% are reserved by New Mexico residents. ⁴⁵
Primitive Camping – Non-resident	\$8/night	\$460,800	Combine Primitive Camping Fee with Developed Camping Fee	(-\$460,800)	Assuming 144,000 nights of primitive camping (FY17-FY19 average, taken as an estimated proportion of total camping visits ⁴⁰), of which 40% are reserved by non-residents. ⁴⁵
Camping - Resident	\$10/night	\$1,228,800	\$20/night	\$4,185,600 (+\$2,956,800)	Assuming 348,800 nights of camping (FY17-FY19 average, taken as an estimated proportion of total camping visits ⁴⁴), of which 60% are reserved by New Mexico residents. ⁴⁵
Camping – Non-resident	\$10/night	\$819,200	\$30/night	\$4,185,600 (+\$3,366,400)	Assuming 348,800 nights of camping (FY17-FY19 average, taken as an estimated proportion of total camping visits ⁴⁴), of which 40% are reserved by non-residents. ⁴⁵
Electric Service	\$4/night	\$100,000	\$10/night	\$250,000 (+\$150,000)	Assuming 25,000 service payments per year.
Water Service	\$0	\$0	\$10/night	\$250,000 (+\$250,000)	Assuming 25,000 service payments per year.
Sewer Service	\$4/night	\$100,000	\$10/night	\$250,000 (+\$150,000)	Assuming 25,000 service payments per year.
Dump Station Fee	NONE	\$0	\$10/day	\$250,000 (+\$250,000)	Assuming 25,000 service payments per year.

TOTALS		\$4,845,400	\$12,453,100	Adjusting fees for inflation and increasing fees for non-resident visitors to State Parks increases State Park revenues by an estimated \$7.61 million.
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OPTION 7: ELIMINATE DAY USE FEE FOR NEW MEXICO RESIDENTS

As mentioned above, collection of the day use fee is the most labor-intensive process associated with fees collections. Cash handling for the small amounts associated with day use ties up multiple staff members in a park for long periods of time particularly during the busy season. Reduction of cash handling in the parks would lead to more efficient operations and allow staff to focus on customer service and park maintenance needs.

There are 11 state park systems throughout the United States that do not charge an entrance fee. These include Arkansas, Illinois, Iowa, Kentucky, Massachusetts, Missouri, New Jersey, Ohio, Pennsylvania, Tennessee, and West Virginia. These states allow free day use of state parks for both residents and non-residents and focus fees collection on camping fees where most of the revenue is generated.

Making day use entrance to parks free increases access to underserved communities and improve equity for all New Mexicans. New Mexico has the 3rd highest poverty rate in the Nation with 16.8% of our citizens living in poverty⁴⁷. Many citizens can't enjoy public recreation even at minimal costs. While New Mexico provides bus grants and partners with schools to increase access for some populations, eliminating the day use fee would encourage the use of State Parks by communities previously unable to participate in outdoor recreation.

This option would eliminate day use fees across the park system except for day-use only parks. Currently there are four day use only parks in the system including: Living Desert, Rio Grande Nature Center, Mesilla Valley Bosque, and Cerrillos Hills State Parks. These parks would maintain a \$10 day use fee under this scenario with specific fees at Living Desert adjusted for inflation.

Estimating the revenue impact from eliminating day use fees for New Mexico residents is difficult as the Division does not currently differentiate between resident and non-resident visitors for day use. For illustrative purposes we will assume that 75% of day use passes are sold to New Mexico residents. Given that assumption, the revenue loss to the Division would be approximately \$862,500. This deficit will be more than made up for by increasing the cost of day use passes for non-residents and improving our other park fees to meet inflation and regional parity.

DIVISION FEES ADJUSTMENT RECOMMENDATIONS

The Division makes the following general recommendations for fees adjustments.

- Access to outdoor recreation opportunities is influenced by a range of factors including physical proximity, transportation, financial barriers, and a sense of safety or belonging. Providing New Mexicans free day-use access to thirty-one of thirty-five State Parks will provide a safe and nearby place ensuring equitable access to State Parks and their benefits.
 - Eliminate the New Mexico Resident and non-resident Annual Day-use Pass.
 - Maintain day-use fee of \$10 per vehicle per day for non-residents.

⁴⁷ https://data.ers.usda.gov/reports.aspx?ID=17826#Pb44c8839ef22408ab6fa7e826a444831_2_229iT3

- Eliminate the Annual Camping Pass to discourage non-recreational State Park use.
- Increase fees to achieve regional parity for all State Park visitors.
- Increase entrance fees at the following day-use only State Parks: Living Desert Zoo and Gardens State Park, Mesilla Valley Bosque State Park, Rio Grande Nature Center State Park, and Cerrillos Hills.
- Increase entrance fees at Smokey Bear Historical Park.
- Adjust boat registration fees to account for inflation.
- Add a \$5 non-motorized vessel launch fee.
- When rulemaking for a new fees structure occurs, the rule shall indicate that the Division shall conduct a fees study and fees adjustments shall be conducted every 3-5 years, to account for inflation and changing visitor use.
- Implement short term concession permits for 5 days or less.
- Remove wildlife blind section of fees as the Division has no blinds and does not intend to install any.

The Division proposes the following general timelines for implementation of all fee adjustments:

- State Park Fees – New adjustments will be effective January 1, 2024. Any reservations made in advance of this implementation date will be honored at the booked reservation fee.
- State Forestry Fees – New adjustments will be effective January 1, 2024.
- Boat Registration Fees – New adjustments will be effective January 1, 2024. Motorboats are registered for a (3) year period and registration expires December 31st of the third calendar year. Due to the three-year cycle, all boat registrations will be honored at the processed registration fee.

APPENDICES

APPENDIX 1 – STATE PARKS FEES REGULATIONS IN NEW MEXICO STATUTE

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 5 STATE PARKS AND RECREATION
PART 6 PARK FEES

19.5.6.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, State Parks Division.

[19.5.6.1 NMAC - Rp, 19 NMAC 5.6.1, 5/1/2004; A, 1/1/2008]

19.5.6.2 SCOPE: 19.5.6 NMAC applies to persons using the state parks system.

[19.5.6.2 NMAC - Rp, 19 NMAC 5.6.2, 5/1/2004; A, 1/1/2008]

19.5.6.3 STATUTORY AUTHORITY: 19.5.6 NMAC is authorized pursuant to Subsection E of Section 9-1-5 and Sections 16-2-2 *et seq.* NMSA 1978.

[19.5.6.3 NMAC - Rp 19 NMAC 5.6.3, 5/1/2004; A, 1/1/2008; A, 5/15/2018]

19.5.6.4 DURATION: Permanent.

[19.5.6.4 NMAC - Rp, 19 NMAC 5.6.4 , 5/1/2004]

19.5.6.5 EFFECTIVE DATE: May 1, 2004, unless a later date is cited at the end of a section.

[19.5.6.5 NMAC - Rp, 19 NMAC 5.6.5, 5/1/2004]

19.5.6.6 OBJECTIVE: 19.5.6 NMAC's objective is to establish fees for visitors to off-set the cost of park operations so that each park may be made as nearly self-supporting as possible.

[19.5.6.6 NMAC - Rp, 19 NMAC 5.6.6, 5/1/2004; A, 1/1/2008]

19.5.6.7 DEFINITIONS: [RESERVED]

[19.5.6.7 NMAC - Rp, 19 NMAC 5.6.7, 5/1/2004; A, 1/1/2008]

[See 19.5.1.7 NMAC for definitions.]

19.5.6.8 DAY USE PERMIT (use fees):

A. All parks (except as noted in Subsection B of 19.5.6.8 NMAC).

Per motor vehicle	\$5.00
Walk in/bicycle	No Charge
School bus	\$15.00
Commercial charter bus	\$50.00

B. Parks with exceptions.

Rio Grande Nature Center state park	
Per motor vehicle	\$3.00
Walk in/bicycle	No Charge
Living Desert Zoo and Gardens state park	
Adult	\$5.00
Child (seven to 12 years old)	\$3.00
Child (six years and under)	No Charge
Group rate adults (20 or more) per person	\$3.00
Youth school groups (per person)	\$.50
American zoological association reciprocal fees	
Adult	\$2.50
Child	\$1.50
Smokey Bear historical park	
Adult	\$2.00
Child (seven to 12 years old)	\$1.00
Child (six years and under)	No Charge
Youth/school groups (per person)	No Charge
Bus	\$15.00

[19.5.6.8 NMAC - Rp, 19 NMAC 5.6.8, 5/1/2004; A, 1/1/2008; A, 5/15/2018]

19.5.6.9 CAMPING PERMIT (per night per vehicle or per walk-in/bicycle):

Primitive site	\$8.00
Developed site	\$10.00
Developed site with electric hookup	\$14.00
Developed site with electric and sewage hookups	\$18.00
Electric hookup with annual camping permit	\$4.00
Electric and sewage hookup with annual camping permit	\$8.00

[19.5.6.9 NMAC - Rp, 19 NMAC 5.6.9, 5/1/2004; A, 1/1/2008]

19.5.6.10 ANNUAL DAY USE PASS (per vehicle):

State-wide pass to all parks	\$40.00
Disabled veterans pass	No Charge (New Mexico resident veteran with a fifty percent or greater service-connected disability)

[19.5.6.10 NMAC - Rp, 19 NMAC 5.6.10, 5 /1/04; A, 1/1/2008]

19.5.6.11 ANNUAL CAMPING PERMIT (per vehicle includes one tow vehicle upon request):

New Mexico resident	\$180.00
New Mexico senior resident - 62 years or older	\$100.00
New Mexico physically disabled resident (see Subsection B of 19.5.2.35 NMAC)	\$100.00
Out-of-state resident	\$225.00

[19.5.6.11 NMAC - Rp, 19 NMAC 5.6.11, 5/1/2004; A, 1/1/2008; A, 1/1/2013]

19.5.6.12 REPLACEMENT OF ANNUAL CAMPING PERMIT: \$10.00

[19.5.6.12 NMAC - Rp, 19 NMAC 5.6.12, 5/1/2004; A, 1/1/2008]

19.5.6.13 [RESERVED]

[19.5.6.13 NMAC - Rp, 19 NMAC 5.6.13, 5/1/2004; A, 1/1/2008; Repealed, 5/15/2018]

19.5.6.14 GROUP SHELTER: The following fees are for use of the facility or area only and do not include day use fees.

750 square feet or less	Current: \$30.00 Beginning December 1, 2018: -\$45.00
More than 750 square feet	Current: \$60.00 Beginning December 1, 2018: \$90.00
Rally (as designated)	
Groups less than 30 persons	Current: \$60.00 Beginning December 1, 2018: \$135.00
Groups 30 or more persons	Current: \$90.00 Beginning December 1, 2018: \$180.00

[19.5.6.14 NMAC - Rp, 19 NMAC 5.6.14, 5/1/2004; A, 1/1/2008; A, 5/15/2018; A, 5/15/2018]

19.5.6.15 SPECIAL USE PERMIT: \$15.00 (see 19.5.2.40 NMAC)

[19.5.6.15 NMAC - Rp 19 NMAC 5.6.15, 5/1/2004; A, 1/1/2008; A, 1/1/2013; A, 6/25/2019]

19.5.6.16 CONCESSION PERMIT:

Guide, fishing services, boating, and rafting excursions for Navajo Lake state park	\$500.00- CPI\$714.98
For other parks, guide, fishing services, boating, and rafting excursions	\$300.00 – CPI\$428.99

Educational, park resource protection services and other services	\$300.00
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[19.5.6.16 NMAC - Rp, 19 NMAC 5.6.16, 5/1/2004; A, 6/30/2004; A, 1/1/2008]

19.5.6.17 GUIDE CARD:

Guide, fishing services, boating, and rafting excursions for Navajo Lake state park	\$500.00
For other parks guide, fishing services, boating, and rafting excursions	\$300.00

[19.5.6.17 NMAC - Rp, 19 NMAC 5.6.17; 5/1/2004; A, 6/30/2004; A, 1/1/2008]

19.5.6.18 MEETING, EVENT AND LODGING FACILITIES (per day): The following fees are for use of the facility or area only and do not include applicable day use or camping fees.

A. Meeting room, conference room, classroom.

Park open hours	Current: \$30.00 Beginning December 1, 2018: Large for entire day \$200.00 Small for entire day \$100.00 Large for partial day (four hours) \$50.00 Small for partial day (four hours) \$25.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$50.00
Park after hours	Current: \$60.00 Beginning December 1, 2018: Large \$300.00 Small \$200.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$75.00

B. Special event facility.

Park open hours Per day cost will vary according to certain seasons. Please refer to the division website.	Current: \$125.00 Beginning December 1, 2018: Season \$1,000.00 Off-season \$500.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$250.00
Park after hours	Current: \$275.00

Per day cost will vary according to certain seasons. Please refer to the division website.	Beginning December 1, 2018: Season \$1,500.00 Off-season \$700.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$350.00

C. Yurts (per night).

Rental inclusive of camping fee for two vehicles. Additional vehicles will be subject to day use or camping fees as applicable. Per night fee may be less on certain days or in certain seasons. Please refer to the division website.	Beginning July 1, 2018: Season \$150.00 Off-season \$80.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$100.00

D. Cabins (per night).

Rental inclusive of camping fees for two vehicles. Additional vehicles will be subject to day use or camping fees as applicable. Per night fee may be less on certain days or in certain seasons. Please refer to the division website.	Season \$150.00 Off-season \$80.00
Damage and cleaning deposit (reimbursed upon satisfactory inspection)	\$100.00

E. Corrals (per night).

Small	\$30.00
Large	\$50.00

F. Wildlife blinds (per night).

Season	\$75.00
Off-season	\$25.00

G. Persons using the facilities listed in 19.5.6.18 NMAC may be required to enter into an agreement with the division that contains conditions of use.

[19.5.6.18 NMAC - Rp, 19 NMAC 5.6.18, 5/1/2004; A, 1/1/2008; A, 1/1/2013; A, 5/15/2018]

19.5.6.19 [RESERVED]

[19.5.6.19 NMAC - Rp, 19 NMAC 5.6.19, 5/1/2004; Repealed, 5/15/2018]

19.5.6.20 [RESERVED]

[19.5.6.20 NMAC - Rp, 19 NMAC 5.6.20, 5/1/2004; Repealed, 1/1/2013]

History of 19.5.6 NMAC:

Pre NMAC History: The material in this part was derived from that previously filed with the commission of public records - state records center and archives.

SPRD 67-1, Rules and Regulations, filed 07/17/1967;

SPRD 68-1, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 10/17/1968;
SPRD 69-1, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 09/11/1969;
SPRD 71-1, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 11/10/1971;
SPRD 72-1, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 06/05/1972;
SPRD 73-3, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 09/14/1973;
SPRD 74-1, New Mexico Pleasure Boating Requirements and State Park Regulations, filed 02/19/1974;
SPRD 75-1, New Mexico State Park and Recreation Commission Regulations, New Mexico Boating Law, 1975 Edition, filed 02/24/1975;
SPRD 77-1, New Mexico State Park and Recreation Commission Regulations, New Mexico Boating Law, 1977 Edition, filed 04/15/1977;
SPRD 79-1, New Mexico Park Regulations and Boating Laws, filed 07/31/1979;
SPRD 82-1, New Mexico Park Regulations and Boating Laws Revised in 1981, filed 05/17/1982;
SPRD 87-2, New Mexico State Park Fees, filed 05/06/1987;
EMNRD PRD 89-3, New Mexico State Park Fees, filed 12/21/1989.

History of Repealed Material: 19 NMAC 5.6, Park Fees (filed 12/17/1996), repealed 5/1/2004.

Other History: EMNRD PRD 89-3, New Mexico State Park Fees, filed 12/21/1989, was renumbered, reformatted, and replaced by 19 NMAC 5.6, Park Fees, effective 12/31/1996.

19 NMAC 5.6, Park Fees (filed 12/17/1996), replaced by 19.5.6 NMAC, Park Fees; effective 5/1/2004.

APPENDIX 2 – RV DUMP FEES AT NEW MEXICO GAS STATIONS

NEW MEXICO GAS STATIONS RV DUMP FEES	Location	Fee
<i>Albuquerque</i>	Flying J	\$10
	Giant - Tramway	Free
	Giant – Academy	Free
<i>Algodones</i>	San Felipe Travel Center	Free
<i>Artesia</i>	Eagle Draw City Park	Free
<i>Aztec</i>	Roadrunner Fuel	Free
<i>Belen</i>	Giant	Free
<i>Bernalillo</i>	Speedway	Free
<i>Carlsbad</i>	City of Carlsbad Lift Station	Free
<i>Chama</i>	Northern New Mexico Welcome Center	\$20
<i>Clovis</i>	Bison RV Center	Free
<i>Deming</i>	5R Travel Center	\$10
	Low RV Ranch	\$10
<i>Farmington</i>	Sinclair	Free
<i>Hobbs</i>	Henry McAdams Park	\$10
	New Mexico Port of Entry	\$10
<i>Las Cruces</i>	TA Travel Center	\$10
<i>Lordsburg</i>	Flying J Travel Plaza	\$10
	Loves Travel Stop	\$10
<i>Los Alamos</i>	County Park (Airport)	\$10
<i>Moriarty</i>	TA Travel Center	\$10
<i>Red River</i>	Wastewater Treatment	\$10
<i>Rio Rancho</i>	Giant	Free
<i>Santa Rosa</i>	Loves Travel Stop	\$10
<i>Silver City</i>	Gila Hot Springs	Free
	Wastewater Treatment	Free
<i>Stanley</i>	Cuervo Mountain RV Park	\$20
<i>Texico</i>	Allsup's	\$20
<i>Tucumcari</i>	Loves Travel Stop	\$10

APPENDIX 3 – ALBUQUERQUE PRIVATE CAMPGROUND PRICING

ALBUQUERQUE PRIVATE CAMPGROUNDS	Available Utilities	Fee (per night)
<i>KOA Albuquerque</i>	50 amp, water, sewer	\$96.15
<i>Turquoise Cedar Crest</i>	50 amp, water, sewer	\$39.95
	30 amp, water, sewer	\$36.95
<i>Enchanted Trails</i>	50 amp, water, sewer	\$47
	30 amp, water, sewer	\$42
	30 amp, water	\$33
<i>High Desert</i>	50 amp, water, sewer	\$43.95
	30 amp, water, sewer	\$50.00
<i>American RV Resort</i>	Big Rig pull-thru, full hookup	\$63.00

APPENDIX 4 – SPECIAL USE PERMIT

Energy, Minerals and Natural Resources Department State Parks Division 1220 S. St. Francis Drive Santa Fe, NM 87505 Telephone (505) 476-3355			
Special Use Permit			
<p>Pursuant to 19.5.2.37 NMAC, Applicants must submit Special Use Permit Applications to the State Parks Division (Division) park superintendent/manager where the special event or public assembly is proposed at least 15 days prior to the special event or public assembly, or at least 30 calendar days prior to the special event if the special event is a regatta, motorboat or boat race, marine parade, tournament, or exhibition. Special Use Permits are valid for five consecutive days only. The Division may charge fees in addition to the Special Use Permit fee to cover costs of additional staff, facilities, etc. needed for the special event or public assembly. The Division may enter into an agreement with the Special Use Permittee to have the Special Use Permittee pay a fee equal to the estimated fees, such as day use fees, that individuals attending the special event would have paid in fees in lieu of such fees. Permittees shall not sell goods or services without a concession permit.</p>			
Applicant name:			
Address:			
City/state/zip code:			
Telephone number (include area code):			
Facsimile number (include area code):			
E-mail address:			
Name of park:			
Location of the proposed special event or public assembly within the park:			
Date of the proposed special event or public assembly:		Start and end times for the proposed special event or public assembly:	Start:
			End:
Number of people expected to attend:			
Detailed description of the proposed special event or public assembly:			

Designation of the type of proposed special event or public assembly (i.e., special use, marine event, park event, etc.):
Indemnification – Applicable to Non-Governmental Applicants Only
<p>By signing below, Applicant certifies if the EMNRD State Parks Division grants a Special Use Permit to Applicant, Applicant shall defend, indemnify, and hold harmless EMNRD, the Division, and the State of New Mexico from all actions, proceedings, claims, demands, costs, damages, attorneys' fees, and all other liabilities and expenses of any kind from any source that may arise out of a Special Use Permit's performance that may arise from this Special Use Permit Application, caused by the negligent act or failure to act of the Applicant, its officers, employees, servants, subcontractors, or agents, or if caused by the actions of any client of the Applicant resulting in injury or damage to persons or property during the time when the Applicant or any officer, agent, employee, servant, or subcontractor thereof has or is performing services pursuant to the Special Use Permit. In the event that any action, suit, or proceeding related to the services performed by the Applicant or any officer, agent, employee, servant, or subcontractor under the Special Use Permit is brought against the Applicant, the Applicant shall, as soon as practicable but no later than two days after it receives notice thereof, notify EMNRD's legal counsel and the Risk Management Division of the New Mexico General Services Department by certified mail. Nothing in this section shall be deemed to be a waiver by the State of New Mexico of the provisions of the Tort Claims Act, NMSA 1978, §§ 41-4-1 <i>et seq.</i></p>
Compliance with Laws and Rules
<p>By signing below, Applicant acknowledges Applicant shall abide by all applicable state and federal statutes and rules or regulations in connection with the permitted activity.</p>
Fee and Insurance
<p>Note: In the event the permit is approved, Applicant shall submit the applicable Special Use Permit fee. If required by the Superintendent for special events, the Applicant shall also submit proof of insurance in an amount directed by the Superintendent and which shall name the state, EMNRD, and the Division as additional co-insured.</p>
Bond
<p>If applicable, Applicant may also be required to provide a bond payable to the Division Director, in an amount adequate to cover costs such as restoration, rehabilitation and cleanup of the area used, and other costs resulting from the event. Please refer to the Permit Approval Section to determine the specific amount. If a bond is required, Applicant shall provide a copy of the bond to the Division prior to undertaking any activity under the Special Use Permit. Please note: Bond and insurance requirements apply only to special events, NOT public assemblies.</p>

Signed:

Date: