

State Park Regulation Changes

Fee adjustments are needed to maintain the State Parks. The proposed fee increases are excessive. They range up to 194% for boat registration fees and 150% for primitive camping fees. Elimination of the annual camping permit can result in up to a 3,144% fee increase. The proposed rate changes are designed to increase revenue, which is needed. However they will decrease the number of State Park users and the number of camping days and nights which will not generate the necessary State Park fee revenue.

Decreasing the number of State Park users and the number of camping days will have a significant multiplier effect on the revenue generated in surrounding towns and stores that depend on the park users to support their business. These include the purchase of fuel, groceries, supplies, licenses, and equipment. Many of the businesses are seasonal and reducing their sales due to fewer State Park users will impact their ability to survive.

The following proposals, **include recommendations in RED**, encourage access to the State Parks while generating additional revenue to fund State Park operations.

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. **Residents should pay for day use access since they utilize the facilities provided by the State Parks including trash dumpsters, porta-potty, restroom, and showers; and security provided by State Park Rangers. Eliminating resident day use fees would significantly decrease State Park fee revenue.**
- Eliminate the New Mexico Resident and non-resident Annual Day-use Pass. **Many retirees have moved to areas close to State Parks so they can utilize them on a regular basis. The Annual Day-use Pass provides a reasonable fee to utilize the State Parks. The Annual Day-use Pass **should not** be eliminated and the rates should be increased to \$60 for residents (a 50% increase) and \$80 for non-Residents (a 100% increase).**
- The proposed regulations include charging the same camping rate for primitive (increase of 150%) and developed sites. **Separate fees for primitive versus developed camping should be maintained.** Primitive camping by tent campers primarily utilize the porta-potty and trash dumpsters. Primitive campers with trailers generally have their own toilet facilities but do utilize the trash dumpsters. Developed camp sites can include tables, benches, grills, close access to restrooms and showers, and sometimes shade which justify an additional fee. Developed sites that include electricity, water, and sewer connections, are charged additional fees.

The fee for Primitive camping should be increased to \$12 per night (a 50% increase). The fee for Developed camp sites should be higher with the add-ons for utilities as proposed in Section 19.5.6.9.

- Maintain day-use fee of \$10 per vehicle per day for non-residents. **The day-use fee should be maintained for both residents and non-residents.** The increase to \$10 per vehicle is a 100% increase. Resident and non-resident Day Users utilize the facilities provided by the State Parks including trash dumpsters, porta-potty, restroom, and showers; and security provided by State Park Rangers. All Day Users should pay for these services. Since the day-use fee is charged by the vehicle, differentiation between which passengers are residents versus non-residents based on the license plate of the vehicle driven avoids correct fee questions.
- Eliminate the Annual Camping Pass to discourage non-recreational State Park use. Many State Park users have invested in camping and boating equipment and utilize it on a regular basis. The annual day use pass provides a reasonable fee to utilize the State Park and supports the local economy through the purchase of fuel, groceries, supplies, licenses, and equipment. The examples of non-recreational use provided reflect an extremely small percentage of State Park Users. Eliminating the Annual Camping Pass due to these few outliers is not appropriate. Eliminating Annual Camping Passes will reduce the revenue generated for both the State Park and the local economy. **The Annual Camping Pass should be maintained** with the fees adjusted to \$270 (a 50% increase) for Residents, \$338 (a 50% increase) for non-residents, and \$150 (a 50% increase) for senior residents.
- Increase fees to achieve regional parity for all State Park visitors. **The Day Use fees should be maintained for both residents and non-residents to ensure that all users pay their fair share of administration, operational, and maintenance costs including boating access, education, and enforcement programs in New Mexico.**
- 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. **The proposed rate increases up to 194% are excessive. Increases should be limited to 50% of the current rates, rounded up to the nearest whole dollar.**
- Add a \$5 non-motorized vessel launch fee. **Paddle Craft provide a cost effective alternative for State Park users to enjoy the water and get some exercise. There have no licensing and registration requirements, do not require trailers (some are transported in a box and inflated on site), and do not require the extensive safety equipment and training of motor craft users. Paddle Crafts are launched each time they are used. This may be from none to numerous times each day.**

How is the fee charged? Every time the paddle craft is put on the water (launched?)? By each day used? For each day that the day pass or camping pass covers?

Determining when the fee is applicable will be cumbersome. Paddle Craft users do pay State Park Fees as part of the Day Use and Camping Fee. **The Paddle Craft Launch Fee per Motor Vehicle should not be implemented.**

- 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. **Any proposed regulatory and fee revisions require public input and response from the Department regarding the comments submitted.**

- 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. **Clarify fee in prior sentence. Should it state “Any reservation made in advance of this implementation date will at the rate in effect at the start of the reservation date.”?**

- 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. **Clarify fee in prior sentence. Should the new fees for new and renewal registrations be effective for registration starting after December 31, 2024?**

OTHER

What amount and percentage of the FY22 \$3.4 million in camping fees revenues collected from Reserve America are paid to Aspira? Verify if the additional fee to park visitors to utilize Reserve America is \$4 - \$12 per day or per reservation.

Based on the statement that self-pay collection of fees is not cost effective, which State Parks do have internet connectivity to utilize credit card machines that do not currently utilize this collection method? **What are the plans to expand the use of credit card machines, including the number of State Parks and timing to expand the use of credit card machines? What amount of staffing costs is projected to be saved by implementing this option when available?**

“Resident” means an individual who for a period of not less than 90 days immediately preceding visiting the park has been domiciled in New Mexico and has not claimed residency elsewhere for any purpose. **How is residency verified? Driver’s license or other ID? Registration of vehicle driven?**

RV dump station per use (resident and non-resident. Proposed fee of \$10.00. Other gas station dump fees are from \$0, \$10, and \$20, with the majority \$0 and \$10. Fee is per use, however revenue is based on each day, same number of days as electric water, and sewer nights. If camping in developed camp with water and sewer, water and sewer fees are paid in addition to the camp fee. **Revise fee to \$8. Clarify how fee will be collected.**

19.5.6.19 FEE CHANGES: The division shall review the fees in 19.5.6 NMAC every five years and the **director may change any or all the fees to reflect the Chained Consumer Price Index for Urban Consumers.** Any fee change shall be rounded to the nearest dollar. The division shall post fee changes on the department’s website, the entrance to each park and any visitor center in a park no less than 30 days prior to the fee changes becoming effective. **Is the CCPI for Urban Consumers nationwide the best index for rural NM where most of the State parks are located? Rate revisions should require a hearing and response from the Department regarding the comments submitted.**

Statistical Report 2018 – 2019 page 11 – **How do you arrive at the number of primitive campsites for both year Round and Seasonal for Elephant Butte?**

Statistical Report 2018 – 2019 page 18 Table 3A –**How do you determine number of attendance when fees are charged per vehicle? Based on fees on Table 5 Option 5 verify if there is an average of 6.7 attendees per vehicle?**

Statistical Report 2018 – 2019 **Table 3B – How do you arrive at number of campers when fees are charged per vehicle for both primitive and developed camping?**

Statistical Report 2018 – 2019 **Table 3d – Why no Reservation System Data for AIX Reporting for NM?**

State Park Regulations