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To: emnrd-parkscomments, EMNRD
Cc: Chasey, Gail; a.sedillolopez@nmlegis.gov; New Mexico State Director; Adobe Whitewater Board; endeavOR New Mexico; New Mexico Wild
Subject: [EXTERNAL] Proposed State Parks Fee Changes - comments and recommendations to generate \$1.5MM more than proposed while reducing costs for New Mexico Residents
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Hello,

While I understand and agree that it is reasonable for State Parks fees to be updated from time to time, I do believe the current proposed fee schedule is ill-informed, ill-considered, and partly illegal. I have included a recommended fee structure that keeps State Parks affordable for New Mexicans, yet raises 28% more revenue than the current structure proposed by the State Parks Fee Study.

The proposed fee structure for camping obviously only compares raw costs to other states, but does not consider that New Mexico's median household income is only between 66-80% of the surrounding states used in the camping and access cost comparisons. The proposed fee structure would make New Mexico the second-most expensive state in the region to camp in purely on the raw cost (\$180/3 nights, per the presentation), but the most expensive per household dollar by a very large margin. This, combined with no discount on camping for residents, veterans, seniors, and those with disabilities effectively makes New Mexico State Parks a playground for out of state visitors while pricing out residents. The fee study also does not take into account the loss of income such a large price change would create because New Mexicans could no longer afford or choose to pay the exorbitant rates to camp in State Parks.

Charging insanely high rates for utilities, and charging them all separately, including the ability to dump waste, is price gouging and a recipe for disaster. Again, I understand the need to increase prices to account for upkeep and inflation, however the proposed amounts are ridiculous (\$10/utility/night, or \$30/night for water+sewer+electricity, plus \$10/use to use a dump station).

Additionally, the current proposed fee schedule charges the same rates for camping for residents and non-residents. It also charges the same fees for primitive campsites (no feature or utilities) as it does developed campsites (picnic tables, fire pits, etc) and the base cost for full-service campsites. That's ridiculous.

Current entry fee structures to New Mexico State Parks is extremely low, and is already the lowest in the region per day. Eliminating the day use fee is good press, but a terrible financial decision. Day-use fees are the epitome of user-benefit/user-pay model mentioned over-and-over again by the State Parks committee during the public presentation, and they generate a large amount of revenue for the parks while being extremely affordable for residents (and non-residents).

Regarding boating fees – a timely increase in motorboat registration fees does make sense as this fee has not changed in a very long time. However, there is no reason to add a daily fee to paddle craft users.

- 1) No other state in our region charges such a fee - there is no parity argument here. Reaching to states like Oregon, Idaho and Michigan (including referencing access to county, municipal, and private water resources) to attempt this argument shows how desperate State Parks is to try and implement this fee without cause. During the presentation, the concept that State Parks wants to encourage more users was brought up as a reason to eliminate entry fees, however adding that back on as a paddle craft use fee defeats that purpose. Paddlecraft are a cost-effective, fun, healthy, quiet, and non-polluting method of enjoying the waters of New Mexico. This should be encouraged, not discouraged with a fee.
- 2) Paddlecraft users receive no benefits from the RBS grants the State Parks system wants to increase. State Parks offers no paddler education, paddler events, or paddler infrastructure in any meaningful way. Boater education courses do not cover paddle craft safety, education, or instruction to any meaningful degree. The information about paddlers presented in this material is minute, derogatory, and riddled with errors.
- 3) Paddlecraft users are not the safety concern made-out by the fee study. According to the [2022 USCG Boating Accident Report](#) only 6% of all reported boating accidents involved non-motorized craft. The top 5 contributing elements to all boating accidents are completely motor-boat related, Motorized craft are responsible for 75% of boating fatalities and 97% of boating injuries. Further, State Parks has no, or has not released, any data of its own regarding safety enforcement, citation, or rescue services for non-motorized vs motorized craft.
- 4) Paddlecraft users require no special infrastructure. Paddlecraft are most commonly, and easily, launched directly from shore, and do not require the use of boat ramps, slips, and docks.
- 5) The NM Constitution, upheld by the NM Supreme Court as recently as March 1, 2022, grants the public the right to use the waters of New Mexico for paddling (among other things). If you can legally access the water, you are legally allowed to boat on it unobstructed and unencumbered - even allowing incidental use of private lands in certain situations (portaging around fences, etc.). There is absolutely no way that a use fee for paddle craft on state parks will be upheld by the courts.

During the public meeting on March 1, the State Parks representatives not only flippantly tried to refute many of the public comments with the same flawed logic and lack of consideration used in the study, but routinely told the public to "send us your recommendations, not just your complaints."

At the same time, the State Parks representatives admitted that the State Parks took 6 months of work by at least one paid employee to develop the fee study (January-July 2023), but the fee study and these public hearings were only public for approximately 6 weeks before a decision will be made for this fee schedule on April 1st. Obviously there is a disconnect in leadership's thinking about time frames when wanting the public to provide recommendations. However, I'd like to make a proposed fee recommendation that took me not 6 months, but about 3 hours to come up with. This recommendation not only adjusts prices to reflect regional parity and inflation as well as the economic differences within our region, but also retains several features currently enjoyed by NM Residents, and **creates a net impact of an additional \$1.5MM+ annually over the fee study's proposal.**

This fee schedule recommendation maintains the (extremely low) entry fee for residents, including the annual passes, keeps the annual camping pass (with an increase in cost and restrictions), and increases fees for camping, motorboat registration, and out of state visitors/campers. The current fees are in the blue column, My proposals are in the green columns (header starting with "my"), the fee study proposals are in red (header starting with "Fee Study").

Fee Type	Current Cost	My Proposed Fees	My Proposed Revenue Impact	Fee Study Proposed Fees	Fee Study Proposed Revenue Impact	# of uses (calculated from current/proposed fee changes)
Day Use (Resident)	\$5	\$5	\$0	\$0	-\$862,500	172,500
Day Use (Non-Resident)	\$5	\$10	\$575,000	\$10	\$575,000	115,000
Primitive Camping (Resident)	\$8	\$15	\$1,008,000	\$20	\$1,728,000	144,000
Developed Camping (Resident)	\$10	\$20	\$2,048,000	\$20	\$2,048,000	204,800
Utilities (water+elec+sewer)	\$4	\$12	\$215,385	\$30	\$700,000	26,923
Dump Station Fee	\$0	\$0	\$0	\$10	\$250,000	25,000
Annual Day-Use Pass (Resident)	\$40	\$40	\$0	Eliminate	-\$295,400	7,385
Annual Camping Pass (R+NR)	\$100-225	\$200-450 *	\$421,825	Eliminate	-\$457,000	2,812
Living Desert Entrance Fee (Resident)	\$0.50 - 5.00	\$50 - 5.00	\$0	\$1 - 10	\$107,253	39,001
Motorboat Registration Fee	\$28.50 - 66.00	\$75-\$180	\$1,525,601	\$75-\$180	\$1,525,601	19,011
Non-Motorized Boat Use Fee	\$0	\$0	\$0	\$5	\$100,000	20,000
Living Desert Entrance Fee (Non-Resident) addl fees only	\$0.50 - 5.00	\$1 - 10 *	\$42,900			

Primitive Camping (Non-Resident) addl fees only	\$8	\$20	*	\$288,000			
Developed Camping (Non-Resident) addl fees only	\$10	\$30	*	\$819,200			
		Total Impact		\$6,943,911	Total Impact	\$5,418,954	

* - Calculated using the same ratio of in/out of state visitors as day-use fees and the difference in price for non-residents. Example: developed camping non-resident addl fees only = $(204,800 \cdot .4) \cdot (\$10)$

Cost Examples:

3 nights of camping at a full-service developed site for New Mexico residents:
Current Cost: \$42 +tax/fees
Fee Study Cost: \$160 +tax/fees
My Proposal: \$96 +tax/fees

3 nights of camping at a full-service developed site for non-residents:
Current Cost: \$42 +tax/fees (same as resident)
Fee Study Cost: \$160 +tax/fees (same as resident)
My Proposal: \$126 +tax/fees (31% more than resident)

3 nights of primitive camping for New Mexico Residents:
Current Cost: \$24 +tax/fees
Fee Study Cost: \$60 +tax/fees
My Proposal: \$45 +tax/fees

3 nights of primitive camping for Non-Residents:
Current Cost: \$24 +tax/fees (same as resident)
Fee Study Cost: \$60 +tax/fees (same as resident)
My Proposal: \$60 +tax/fees (33% more than resident)

The biggest reason given during the public meeting for eliminating the annual camping pass was one of administration/rules, not of actual financial impact. To help alleviate this and still provide an excellent value for New Mexicans I propose maintaining the annual camping pass (with a fee increase) with the following rule changes:

- 1) Limit stays to 7 nights in one park at a time, No more than 15 nights in a month total (this allows for more users in each area)
- 2) Require occupancy of the campsite/RV at least every third night (this eliminates people staking claims in popular areas ahead of major events without actually using the sites)
- 3) Update reservation system to only allow annual pass holders to make reservations at a single location per night (no more reserving multiple locations for the same dates)

Maintaining the current senior, veteran, person with disability, and foster family discount programs for annual/camping passes has no negative impact on revenue as proposed as they are already in use and calculated in the Fee Study Revenue Impact, so these programs should be maintained.

Overall my newly proposed fee schedule generates 28% more revenue than the proposed Fee Study structure, while being more affordable for NM Residents.

Michael Carney
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"I would feel more optimistic about a bright future for man if he spent less time proving that he can outwit Nature and more time tasting her sweetness and respecting her seniority."
- E.B. White