

**PROPOSED REGULATION OF THE
DIVISION OF OUTDOOR RECREATION OF THE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

LCB FILE NO. R088-221

**The following document is the initial draft regulation proposed
by the agency submitted on 06/09/2022**

**PROPOSED ADMINISTRATIVE REGULATIONS OF
THE NEVADA DIVISION OF OUTDOOR
RECREATION**

Nevada Administrative Code Chapter 407A

Section 1. *Chapter NAC 407A is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this regulation.*

Sec. 2. *As used in sections 2 to 13, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec 3. *“Nevada Starry Sky Destination” defined. “Nevada Starry Sky Destination” means a location in the State on Nevada where the darkness of the night sky is relatively free of interference from artificial light and has met the qualifications for designation.*

Sec 4. *“Program” defined. “Program” means the Nevada Starry Sky Destination designation program created by Section 1 of Senate Bill No. 52, chapter 25, Statutes of Nevada 2021, at page 105.*

Sec. 5. *“Proponent” defined. “Proponent” means any individual or entity serving as a chief sponsor and point of contact for a Nevada Starry Sky Destination designation application.*

Sec 6. *“Administrator” has the meaning ascribed to it in NRS 407A.105.*

Sec. 7. *“Division” has the meaning ascribed to it in NRS 407A.110.*

Sec. 8. *The Administrator will administer the Nevada Starry Sky Destination program to provide for location designation.*

Sec 9. Criteria.

1. *A Nevada Starry Sky Destination must be located:*

(a) Over public land within the State of Nevada with the consent of each governmental entity having jurisdiction over the land applying for Nevada Starry Sky Destination designation; or

(b) Over privately-owned land located in the State in Nevada.

2. *A Nevada Starry Sky Destination must have obtained or be under review for accreditation from the International Dark Sky Association or a similar third-party dark sky program.*

Sec. 10. *A proponent must submit an application for Nevada Starry Sky Destination to the Division in the format prescribed by the Division.*

Sec. 11. *Evaluation of Applications.*

- 1. *The Division shall review each application for completeness and confirm eligibility criteria pursuant to Sections 9 and 10.***
- 2. *The Division will convene a meeting of stakeholders impacted by the proposed designation for Nevada Starry Sky Destination.***
- 3. *If an application is incomplete or ineligible, the application will be returned to the proponent with a written explanation for the deficiency. The proponent may reapply to the Division after resolving the identified deficiencies.***

Sec 12. *Within 90 days after receipt of the application the Administrator shall notify the proponent in writing of the decision to approve or deny the application for Nevada Starry Sky Destination designation.*

Sec 13. *The Division shall monitor designated Nevada Starry Sky Destination on a 5-year cycle to ensure continued accreditation from the International Dark Sky Association or a similar third-party dark sky program.*