

Senate Bill No. 52–Committee on Natural Resources

CHAPTER.....

AN ACT relating to outdoor recreation; requiring the Administrator of the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources to establish a program for awarding a dark sky designation to certain sites in this State; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources, which is headed by an Administrator. (NRS 232.1363, 407A.540, 407A.545) Under existing law, the Administrator is required to perform various duties relating to the promotion, coordination and advocacy of outdoor recreation in Nevada. (NRS 407A.570) This bill requires the Administrator to establish by regulation a program for awarding a dark sky designation to sites in Nevada, including communities, parks, reserves and byways. This bill requires the regulations to include: (1) categories for which a site may be awarded such a designation; (2) standards for awarding such a designation; and (3) procedures for applying for a such designation, for reviewing and suspending or revoking such a designation and for appealing such a suspension or revocation.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

WHEREAS, The International Dark-Sky Association estimates that approximately 30 to 60 percent of outdoor lighting in the United States, including lighting for architecture, parking, landscaping, advertising and streets, is wasted primarily because of unshielded outdoor lights; and

WHEREAS, The light that results from excessive or unnecessary outdoor lighting creates an artificial brightening of the night sky, which is known as light pollution; and

WHEREAS, In addition to obliterating views of the stars, light pollution, which requires a significant amount of natural resources to produce, may disrupt the normal biological rhythms of humans and wildlife; and

WHEREAS, From an economic perspective, property owners and municipalities can reduce their power costs and consumption by discontinuing the use of unshielded light fixtures; and

WHEREAS, The International Dark-Sky Association founded a program in 2001 that designates “International Dark Sky Places” as areas that possess varying degrees of exceptional or distinguished quality of starry nights and a nocturnal environment that is



specifically protected for its scientific, natural and educational value, as well as for public enjoyment; and

WHEREAS, The International Dark Sky Places Program offers different types of designations, including, designations for communities, parks, reserves, sanctuaries and urban night sky places; and

WHEREAS, As of 2019, there are two International Dark Sky Places in Nevada: Great Basin National Park and the Massacre Rim Wilderness Study Area; and

WHEREAS, Establishing a state-level program for designating dark sky places in Nevada will complement the International Dark Sky Places Program and serve to specifically promote, preserve, protect and enhance Nevada's dark sky resources for their intrinsic value and their ecological, astronomical, cultural and economic importance; and

WHEREAS, The program will also raise awareness among Nevadans about light pollution and encourage them to transition from unshielded to shielded outdoor lighting to preserve and enhance dark skies throughout this State; and

WHEREAS, Designation of dark sky places in Nevada under the program will also attract tourists and other visitors to rural communities near Nevada's dark sky assets, thereby generating increased economic activity for surrounding communities and their small businesses; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 407A.570 is hereby amended to read as follows:

407A.570 1. As the executive head of the Division, the Administrator, subject to administrative supervision by the Director, shall direct and supervise all administrative, fiscal, budget and technical activities of the Division and all programs administered by the Division as provided by law.

2. The Administrator may organize the Division into various sections and, from time to time, alter such organization and reassign responsibilities and duties as the Administrator may deem appropriate.

3. The Administrator shall:

(a) Coordinate all activities relating to marketing and business development for outdoor recreation, including, without limitation, marketing, advertising and securing media opportunities that reflect the opportunities for outdoor recreation in this State.



(b) Coordinate with the Department of Tourism and Cultural Affairs and the Office of Economic Development concerning the promotion and growth of any businesses and opportunities related to outdoor recreation.

(c) Promote economic development by working with the Office of Economic Development to attract outdoor recreation industries to this State and develop the growth of new business opportunities within this State.

(d) Coordinate with the Department, the Department of Wildlife and any other organization, association, group or other entity concerned with matters of conservation and natural resources regarding conservation and the implementation or interpretation of policies regarding natural resources.

(e) Promote the growth of the outdoor recreation economy in this State so that there is support for economic growth as well as stewardship and conservation of any natural resource in this State.

(f) Advocate for and coordinate outdoor recreation policy, management and promotion among state and federal agencies and local government entities in this State.

(g) Recommend policies and initiatives to the Director to enhance outdoor recreational amenities and experiences in this State and help implement such policies and initiatives.

(h) Create and maintain a statewide list of lands to be conserved, enhanced and publicized for outdoor recreation.

(i) Develop data regarding the impacts of outdoor recreation in this State.

(j) Advocate on behalf of the State for federal funding, including, without limitation, any funding opportunities that are available pursuant to the Land and Water Conservation Fund established by 54 U.S.C. § 200302.

(k) Promote the health and social benefits of outdoor recreation.

(l) Promote the engagement of communities that are diverse in outdoor recreation.

(m) Establish by regulation a program for awarding a designation to sites in this State where the darkness of the night sky is relatively free of interference from artificial light. Such regulations must include, without limitation:

(1) The categories for which a site may be awarded a designation, including, without limitation, a community, park, reserve or byway;

(2) The standards for awarding a designation for each category established pursuant to subparagraph (1); and

(3) The procedures for:



- (I) Applying for a designation;*
- (II) The review and reassessment of sites that have been awarded a designation;*
- (III) The suspension and revocation of a designation;*
- and*
- (IV) Appealing the denial, suspension or revocation of a designation.*

Sec. 2. 1. This section becomes effective upon passage and approval.

2. Section 1 of this act becomes effective:

- (a) Upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and
- (b) On October 1, 2021, for all other purposes.

