

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

**LCB FILE NO. R061-24I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 03/20/2024**

**PROPOSED ADMINISTRATIVE REGULATION OF THE  
NEVADA DIVISION OF OUTDOOR RECREATION  
Nevada Administrative Code Chapter 407A**

Statutory Authority: NRS 407A.570

**Section 1.** Chapter 407A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this regulation.

**Sec. 2.** As used in sections 2 to 10, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.

**Sec. 3.** “Nevada Starry Sky Destination” means the designation awarded to a site pursuant to the Program.

**Sec. 4.** “Program” means the program established by sections 2 to 10, inclusive, of this regulation for awarding the designation of Nevada Starry Sky Destination to eligible sites.

**Sec. 5.** “Site” includes, without limitation, a community, park, reserve, *business* and byway.

**Sec. 6.** To be awarded the designation of Nevada Starry Sky Destination, a site must:

1. Be located on public or private land within this State;
2. ~~{Have been certified under the International Dark Sky Places Program of the International Dark Sky Association, or its successor, or have received similar recognition from a comparable entity, as determined by the Administrator; and}~~ *Have implemented changes to infrastructure or policy that conserves or improves dark skies and provides educational opportunities about the importance of dark skies.*
3. If located on public land, have received the consent to its designation as a Nevada

Starry Sky Destination from each governmental entity with jurisdiction over the land.

**Sec. 7. 1.** A person or entity that wishes to have a site designated as a Nevada Starry Sky Destination must submit an application to the Administrator on a form prescribed by the Administrator.

2. The applicant must submit with the application:

~~(a) [Proof of certification of the proposed site under the International Dark Sky Places Program of the International Dark Sky Association, or its successor, or similar recognition from a comparable entity, as determined by the Administrator;]~~

*(a) Proof of implementation of a management plan that will conserve or improve the darkness of skies; and*

*(b) Proof of implementation of educational outreach that provides information on the importance and benefits of dark skies or presents opportunities to learn about and engage with the night sky.*

~~(b)~~ (c) If the proposed site is located on public land, proof of consent for the designation of the proposed site as a Nevada Starry Sky Destination by each governmental entity with jurisdiction over the land; and

~~(c)~~ (d) The name and contact information of the person designated by the applicant as the contact person for the proposed site.

**Sec. 8. 1.** The Administrator will review each application received pursuant to section 7 of this regulation and determine whether the proposed site meets the standards set forth in section 6 of this regulation.

2. If an application is incomplete, the Administrator will return the application to the applicant with a written explanation of any deficiencies. The applicant may reapply to the

Division after resolving such deficiencies.

3. Within 90 days after receipt of a complete application, the Administrator will notify the applicant in writing of the decision to approve or deny the application.

4. If the Administrator denies the application, the applicant may file a written appeal of the decision with the Director within 30 days after receipt of the notification of denial.

**Sec. 9.** Any change in the designation of the contact person for the site initially provided in the application pursuant to paragraph (c) of subsection 2 of section 7 of this regulation must be submitted to the Administrator by the successor contact person within 30 days after the change.

**Sec. 10. 1.** At least once [~~every 5 years~~] *a year*, the Administrator will verify whether a site that has been designated as a Nevada Starry Sky Destination continues to meet the standards set forth in section 6 of this regulation.