



STATE OF NEVADA
Department of Conservation & Natural Resources
Joe Lombardo, *Governor*
James A. Settlemeyer, *Director*
Denise K. Beronio, *Administrator*

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY NRS
233B.066**

LCB File: R061-24

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 407 A.

1. A clear and concise explanation of the need for the adopted regulation.

The proposed regulation seeks to enhance accessibility of the Nevada Starry Skies Destination Program for communities throughout the State. Currently, regulations require interested parties to obtain an International Dark Skies Places Program certification from the International Dark Sky Association before being eligible for the Nevada Starry Skies Destination. This process can be cumbersome and laborious for communities seeking to be dark skies friendly, which can deter participation in the International Dark Skies Places Program.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

The Nevada Division of Outdoor Recreation (NODR) held a public workshop on Wednesday, April 17th, 2024 at 2:00 PM in the Richard Bryan Building (901 S. Stewart Street, Bonnie Conference Room (1st floor). The workshop was held in accordance with open meeting law with a 15-day workshop notice. No public comment was provided during the workshop.

Notices were posted at the following locations:

1. Department of Conservation and Natural Resources Lobby Bulletin Board
2. Legislative Building
3. [Notice.nv.gov](https://notice.nv.gov)
4. [Leg.state.nv.us/app/notice](https://leg.state.nv.us/app/notice)
5. State Library & Archives
6. NDOR Website

7. The hearing agenda and Notice of Intent were sent to 16 county libraries where NDOR does not have an office.

Minutes from the meeting can be found under the meeting summary on the Divisions website. An adoption hearing was held on Friday, May 24th, 2024 at 9:30 AM. Minutes from the hearing can be found on the Divisions website, under the meeting summary.

3. The number of person from the public who: (will complete after the hearing)
 - a. Attended each hearing: Date- Workshop: April 17th, 2024, Josie Vaughn attended via Teams. Hearing: May 24th, 2024 1 individual called into the hearing. Number 775.815.8121. No name was provided.
 - b. Testified at each hearing: Workshop: April 17th, 2024: No public comment provided. Workshop: May 24th, 2024: No public comment provided.
 - c. Submitted to the agency written comments: No individuals provided written comment for either the workshop or hearing.
4. A list of names and contact information, including telephone numbers, business address, business telephone number, electronic mail address, and name of entity or organization represent (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.(Will complete after the hearing)
 - a. April 17th, 2024 Workshop: No public comment provided.
 - b. May 24th, 2024 Hearing: No public comment provided.
5. A description of how comments were solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.

NDOR determined that its proposed regulation changes have no significant negative effect on Nevada small businesses. The proposed changes are related to the process for administering the voluntary Nevada Starry Sky Destination Program. Therefore, comments have not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by these regulations and thus a burden on economic impact cannot be assessed.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

No public comment was received; the Division is submitting for final adoption as proposed.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:
 - a. Both adverse and beneficial effects; and
 - i. On Business: The Division foresees minimal to no adverse effects on regulated businesses as a result of the adoption of the proposed regulation change. A beneficial result of implementing this regulation is the ability for communities to capitalize on astro-tourism and recreation.
 - ii. On the Public: The Division foresees minimal to no adverse effects on the public with the adoption of the proposed regulation change. Potential benefits include increased opportunities to protect, advocate for, and educate others on the importance of Nevada's dark skies. The public has the potential to engage in a new recreation type not previously explored in Nevada.
 - b. Both immediate and long-term effects.
 - i. On Business: The Division foresees minimal to no immediate effects on regulated businesses as a result of the regulation. Long-term effects include potential increased economic benefits from astro-tourism.
 - ii. On the Public: The Division anticipates no immediate or long-term effects based on the proposed regulations for the Nevada Starry Sky Destination Program as the program is voluntary.

8. The estimated cost to the agency for enforcement of the adopted regulations.

NDOR's Program Officer has monitoring responsibility over the program and this work will be incorporated into the job duties of this employee. The Division does not anticipate additional costs for enforcement of the proposed regulation beyond this allocated staff time.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The regulation does not overlap or duplicate the proposed regulation.

10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

The regulation does not include provisions which are more stringent than a federal regulation that regulates the same activity.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount of the agency expects to collect and the manner in which the money will be used.

The regulation does not establish a new fee or increase an existing fee.