

**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

~~(e)~~ (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.