

**BRIAN SANDOVAL**  
Governor



STATE OF NEVADA  
**STATE ENVIRONMENTAL COMMISSION**

901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249  
Telephone (775) 687-9308  
Fax (775) 687-5856  
[www.sec.nv.gov](http://www.sec.nv.gov)

**Leo Drozdoff, P.E.**  
Acting Director



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Eugene Gans  
Las Vegas, NV

July 01, 2011

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Alan Coyner  
Administrator  
Division of Minerals  
Commission on Mineral  
Resources

Alex Loorz & Victoria Loorz  
Kids vs Global Warming  
331 Prospect St.  
Oak View, CA 93022

MEMBERS

RE: Decision Notice: P2011-03: Petition to Limit Fossil Fuel Carbon  
Dioxide Emissions, Submitted By Kids vs Global Warming

Pete Anderson  
State Forester  
Division of Forestry

Dear Mr. Alec Loorz & Ms. Victoria Loorz:

Frances Barron  
State Board of Health  
Las Vegas, NV

On May 5<sup>th</sup> the State Environmental Commission (SEC) received the above referenced "regulatory petition" from Kids vs Global Warming. The petition was properly filed under the authority of NAC 445B.866 on SEC form 1.

Jason King  
State Engineer  
Division of Water Resources

This "public petition" was considered by the SEC on June 16, 2011. As you know, the petition proposed the SEC initiate rulemaking to limit fossil fuel carbon dioxide emissions in Nevada through application of an emissions reduction strategy that would achieve atmospheric concentrations of carbon dioxide no greater than 350 parts per million (ppm) by the year 2100.

Kathryn Landreth  
Reno, NV

After considering written testimony along with the oral presentation made by Mr. Dan Galpern on behalf of your organization, and after hearing public comments on the proposal, including comments from counsel for the Nevada Division of Environmental Protection, the members of the Commission denied the petition by unanimous vote. Attached is the Commission's decision.

Jim Barbee  
Director, Department of  
Agriculture

Kenneth Mayer - Director  
Department of Wildlife

Tom Porta  
Reno, NV

Mark Turner  
Carson City, NV

Stephanne Zimmerman  
Las Vegas, NV

COUNSEL  
Rose Marie Reynolds

Please note that a verbatim audio record of the proceedings, along with written testimony submitted for and against the petition is posted on the SEC website under "agenda item #5 at: [http://sec.nv.gov/main/hearing\\_611.htm](http://sec.nv.gov/main/hearing_611.htm)

STAFF  
[John B. Walker](mailto:John.B.Walker@sec.nv.gov)  
Executive Secretary

If you have any questions regarding this letter or the attached decision, please contact me at (775) 687-9308.

Sincerely,

John B. Walker  
Executive Secretary

JW:jw

Certified Mail # 7008 1140 0004 4030 0994

ec: Colleen Cripps, Ph.D., NDEP Administrator  
Michael Elges, NDEP/Deputy Admin.  
Larry Kennedy, NDEP/BAPC  
Rob Bamford, NDEP/BAQP  
Bill Fry, NDEP/SDAG  
Rose Marie Reynolds, SEC/DAG  
Jim Gans, Chair/SEC

1 BEFORE THE STATE OF NEVADA, STATE ENVIRONMENTAL COMMISSION

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-- Public Petition --  
Kids vs. Global Warming  
Submitted Pursuant to NRS 233B.100

**DECISION**

On June 16, 2011, the State Environmental Commission (“Commission”) considered a petition submitted by Kids vs. Global Warming pursuant to NRS 233B.100 and NAC 445B.886. At the hearing, Dan Galpern from the Western Environmental Law Center spoke on behalf of Kids vs. Global Warming. Representatives from the Nevada Petroleum Marketers Association, Nevada Farm Bureau, Nevada Mining Association, NV Energy, Nevada Manufacturers Association, and the Nevada Division of Environmental Protection spoke. Public comment was also received. Jurisdiction was raised but not decided by the Commission.

The petition requested the Commission to promulgate regulations to strictly limit and regulate fossil fuel carbon dioxide emissions and to establish an effective emissions reduction strategy that will achieve an atmospheric concentration no greater than 350 ppm of carbon dioxide by 2100. The proposed regulations specify that starting in January 2013, statewide fossil fuel carbon dioxide emissions must be reduced by at least 6 percent per year and that the Commission adopt a greenhouse gas reduction plan that achieves that goal. In addition, the Commission must make annual progress reports, including an accounting and inventory of greenhouse gas emissions sources. Annual reports to the governor and appropriate committees of the Nevada Legislature must be made regarding the total emissions of greenhouse gases for the preceding year and total in each major source sector.

Following the presentations and public comment, the Commission determined to deny the petition for three reasons. First, the petition does not estimate the costs for the proposed regulations or state with specificity an estimated economic effect on the state or Nevada

1 industries. Second, the Nevada Division of Environmental Protection shared its concern  
2 about moving ahead when the federal government is considering the same issue because  
3 difficulties can be caused for the regulated industries. Third, the petition lacks the science to  
4 support its conclusion. The petition does not discuss the scientific impact on Nevada industry  
5 and resources.

6 Based on the foregoing, the petition filed by Kids vs. Global Warming is DENIED.

7 Dated this \_\_\_\_ day of \_\_\_\_\_, 2011.

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Alan Coyner, Vice Chairman  
State Environmental Commission