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## TUCSON REGION

### 3 UA climate science experts file brief in EPA suit

By Eric Swedlund

arizona daily star

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A group of UA climate science experts seeks to influence a pivotal global warming case before the U.S. Supreme Court, arguing the Environmental Protection Agency mischaracterized scientific evidence to justify its position.

Oral arguments are today in Massachusetts v. EPA, which centers on whether the federal government is required to regulate the amount of carbon dioxide that comes from vehicles, as a matter of public health. Massachusetts, 11 other states, environmental groups and several large cities say carbon dioxide emissions must be regulated as a pollutant, while the Bush administration, nine states and representatives of the auto industry argue that the EPA does not have the authority to regulate carbon dioxide.

A federal appeals court sided with the government in 2005 and in the summer the Supreme Court decided to hear the case, widely considered to be one of the most important environmental cases in the court's history.

Eighteen prominent scientists, including three University of

Arizona professors, have joined to file an amicus brief arguing that scientific evidence of global warming is clear.

UA law professor Kirsten Engel is one of four attorneys representing the 18 scientists in the brief. Also from the UA are Engel's husband Scott Saleska, an assistant professor of ecology and evolutionary biology; Jonathan Overpeck, professor of geosciences and atmospheric sciences and director of the Institute for the Study of Planet Earth; and Joellen Russell, an assistant professor of geosciences.

"It's unusual to have scientists submit a document to the Supreme Court and actively participate in the policy side," Engel said.

Engel, Saleska and several other climate scientists will attend the oral arguments today.

In the brief, the scientists argue that the EPA mischaracterized a 2001 report by the National Academy of Science's National Research Council to justify its decision not to regulate greenhouse-gas emissions. Six of the scientists who signed the brief were authors of that study and say the EPA's contention that climate change is fundamentally uncertain is not supported by the report the agency cites.

"It is remarkable we're in litigation," Engel said. "We have no action on the federal level and that's why it's so significant we have action on the state level."

The scientists filed the brief to correct the notion that science is uncertain about global warming.

● The Associated Press contributed to this story. Contact reporter Eric Swedlund at 573-4115 or at [eswedlund@azstarnet.com](mailto:eswedlund@azstarnet.com).



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