



1111 Franklin Street
Oakland, California 94607-5200
Phone (510) 987-9074
Fax (510) 987-9086
[http //www ucop edu](http://www.ucop.edu)

July 24, 2008

Damien M Schiff, Esq
Pacific Legal Foundation
3900 Lennane Drive, Suite 200
Sacramento, California 95834

Dear Mr Schiff

Thank you for your letter of July 16 regarding the Scientific Review Panel on Toxic Air Contaminants (SRP) As you may know, the SRP was established by legislation (Assembly Bill 1907, Tanner, 1983) to advise the State Air Resources Board (ARB) and the Department of Pesticide Regulations (DPR) of the California Environmental Protection Agency (Cal/EPA) in evaluating the risk assessments of substances proposed for identification as toxic air contaminants by those agencies The SRP is not a University of California (UC) panel While the Secretary of Cal/EPA, the Speaker of the Assembly, and the Senate Rules Committee, who are the appointing authorities, must select SRP members from among a pool of nominations submitted by the President of the University of California, responsibility for appointments lies with those State officials

The process has been coordinated by staff within the Air Resources Board who staff the Scientific Review Panel, and who notify the University when there is a need for new or updated nominations. Our understanding is that ARB staff also coordinate with the appointing authorities, making sure they have the list of potential candidates and are aware of any vacancies You are correct that the University of California President last made nominations to the SRP in 2004, in response to a request from the staff at the ARB

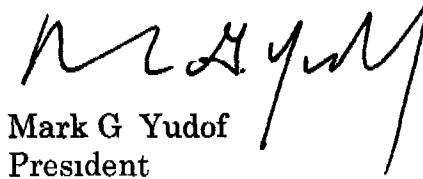
The University of California stands ready to provide updates to the pool of nominees in any category of scientific expertise in which a need arises, and we have made that clear to relevant staff in the offices of the appointing authorities and to the ARB officials who staff the SRP However, the University does not wish to usurp the authority of the legislatively-designated appointing authorities to determine whether and when there is a need to appoint new members to the SRP, and to determine when there is a need for new nominees

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I appreciate your taking the time to write and express your views on this important matter

With best wishes, I am,

Sincerely,



Mark G Yudof
President

cc Secretary Linda S Adams, Cal/EPA
The Honorable Don Perata
The Honorable Karen Bass
Mr Jim Behrman, ARB
Provost Hume
Vice President Steven Beckwith
Associate Vice President Steve Juarez
Professor John R Fromes, UCLA