



**OFFICIAL MEETING OF THE  
NATIONAL AND GOVERNMENTAL ADVISORY COMMITTEES  
(NAC/GAC)**

**MEETING MINUTES  
Final**

**April 14 – 15, 2011**

The Capital Hilton  
1001 16th Street, NW  
Washington, DC 20036

*Note: The U.S. National and Governmental Advisory Committees (NAC/GAC) are federal advisory committees chartered by Congress, operating under the Federal Advisory Committee Act (FACA); 5 U.S.C., App. 2. The committees provide advice to the Administrator of the U.S. Environmental Protection Agency on the implementation of the North American Agreement on Environmental Cooperation. The findings and/or recommendations of the committees do not represent the views of the Agency, and this document does not represent information approved or disseminated by EPA.*

---

---

## Table of Contents

---

---

### **THURSDAY, APRIL 14, 2011**

Call to Order and Introductions .....	1
Invocation .....	1
Overview of the Agenda .....	1
Opening Remarks.....	1
Update on U.S. Priorities and Guidance .....	2
Member Comments and Discussion .....	3
U.S. Overview Perspective on CEC Operational Plan .....	4
Operational Plan: Focused Discussion on Specific Projects .....	5
Operational Plan Historical Background & Overview .....	8
JPAC Report Out .....	10
U.S. Perspective on Council Session .....	11
Public Comment Period .....	12
Summary and Next Steps Discussion .....	12
Approval and Signing of November 2010 Meeting Minutes.....	12

### **FRIDAY, APRIL 15, 2011**

Questions and Logistics .....	12
Committees Meet in Separate Sessions	
GAC Session.....	13
NAC Session.....	18
Public Comment Period .....	22
Action Items.....	22
Summary Certification.....	24

### **Appendices**

Appendix A: Meeting Participants.....	25
Appendix B: Meeting Agenda .....	27
Appendix C: Charge Questions for April 2011 NAC/GAC Meeting.....	30

## **THURSDAY, APRIL 14, 2011**

### **Call to Order and Introductions**

*Oscar Carrillo, Designated Federal Officer, EPA*

Mr. Oscar Carrillo (EPA, Office of Federal Advisory Committee Management and Outreach [OFACMO]) provided an official welcome to the participants and audience. He introduced himself as the Designated Federal Officer for the National Advisory Committee (NAC) and the Governmental Advisory Committee (GAC), which were established in 1994. He introduced the chairs, Karen Chapman (Great Lakes Regional Director of the Environmental Defense Fund), NAC, and Jeff Wennberg (senior member of Development Review Board in City of Rutland, Vermont), GAC. Mr. Carrillo invited introductions from all present (please see Appendix A: Meeting Participants). In keeping with the Native American tradition of beginning every gathering with a blessing, he asked Dr. Octaviana Trujillo (GAC) from the Pascua Yaqui Tribe to give an invocation.

### **Invocation**

*Octaviana Trujillo, Ph.D., GAC Tribal Council Member*

Dr. Trujillo acknowledged the ancestors and traditional peoples of the area and asked them to bring their collective wisdom and energy to lower the burden for future generations.

### **Overview of the Agenda**

*Karen Chapman, Chair of NAC*

*Jeff Wennberg, Chair of GAC*

Ms. Chapman thanked members for their participation and EPA for arranging the travel and other logistics. She explained that the late start was a result of valuable discussions that morning with Ms. Michelle DePass (Assistant Administrator, Office of International and Tribal Affairs [OITA], EPA).

Mr. Wennberg noted that the agenda for the meeting appeared reasonably diverse, but committee advice should focus most on the operational plan, which he hoped everyone had an opportunity to review before the meeting. He noted that this meeting would be more representative of a typical NAC/GAC meeting than the previous one in New Orleans.

### **Opening Remarks**

*Cynthia Jones-Jackson, Director, OFACMO, EPA*

Ms. Jones-Jackson welcomed the committees and thanked them for all of their work thus far. She also thanked Dr. Trujillo for the invocation and the EPA program offices for their attendance. She was pleased to have Ms. DePass's presence, along with Ms. Sylvia Correa (Senior Advisor for North American Affairs, OITA, EPA), and Ms. Dolores Wesson (Director of Programs, Commission for Environmental Cooperation [CEC] Secretariat). Ms. Jones-Jackson's and Ms. DePass's offices are committed to ensuring that the committees remain part of the decision making process. She acknowledged Dr. Irasema Coronado as the new Joint Public Advisory Committee (JPAC) Chair for 2011. She also acknowledged Ms. Wesson as the new CEC Director of Programs. These committee meetings are designed to create face-to-face dialogue to review key issues. She was confident that everyone present would have the opportunity to receive valuable information that hopefully will be helpful for developing innovative strategies and plans.

Ms. Jones-Jackson stated that as Assistant Administrator for OITA, Ms. DePass leads the EPA international tribal portfolios and is responsible for a full range of environmental policy development in tribal lands and sovereign nations. Ms. DePass represents EPA for the U.S. Government, works with international organizations, and is the alternate representative to the CEC; she is entrusted with the

authority to lead the day to day operations of the CEC. Before joining EPA, Ms. DePass served as an environmental community development program officer and supported the development of sound environmental policies in local, national, and international arenas. She is a lawyer, public administrator, and policy analyst and has served a number of esteemed appointments.

### **Update on U.S. Priorities and Guidance**

*Michelle DePass, Assistant Administrator, OITA, EPA*

Ms. DePass confirmed the importance of the meeting, noting that many participants had travelled far to attend and are working hard to ensure that goals are accomplished. She thanked everyone for their attendance on behalf of the EPA Administrator. She also thanked the members of NAC and GAC for using their personal time to advise the CEC. She explained that she has the responsibility and accountability to move forward with this trajectory of representation in negotiations, and she expressed her desire to converse about what that will look like in terms of her office and her authority. She thanked members for their input last November on the 2010–2015 Strategic Plan. Her staff has worked to move this vision into the Strategic and Operational Plans. This is the first Operational Plan that falls completely within the requirements of the new Strategic Plan, and the present meeting is critically important as the first step of implementing the Strategic Plan. The CEC is needed for achievement of these environmental and public health benefits, and OITA will monitor accountability and conduct evaluations to ensure that those benefits are obtained.

Ms. DePass reviewed the charge questions of the NAC/GAC meeting (see Appendix C).

(1) The new CEC Operational Plan 2011:

- a. Comment on the substance and format of the Operational Plan.
- b. Are the projects aligned with the three council priorities?
- c. Is the format user-friendly?
- d. Provide any other observations on the new plan.

(2) Follow-up on meeting discussion:

- a. Provide advice based on present meeting's discussion.
  - i. Describe insights gained that may further enhance advice.

Ms. DePass is committed to work with all NAC/GAC members on the Operational Plan, Strategic Plan, and advice provided. OITA needs NAC/GAC members to increase their understanding of the issues. NAC provides advice to the EPA Administrator on the implementation of an agreement; GAC provides the same but from a special perspective. Together, NAC and GAC bring a wealth of expertise to the Agency. She acknowledged the unique nature of these meetings. She reminded the members that although their advice may have ultimate impact on trilateral relationships, she is grateful that they advise the U.S. Government specifically.

A recurring issue in the advice letters that she has received is the Submissions on Enforcement Matters (SEM) process. It was raised in public forums at the last CEC meeting. She has asked her staff to consider SEM more closely and arrange discussions across trilateral nations regarding what could be done to address this process. Rather than continue a dialogue that does not produce results and can lead to contention, she decided to conduct a review process, which will take a year. The lawyers of the three parties will meet three times during the course of the next year and conclude the review before the 2012 Council Session. This review process may become a model of how business will proceed in the future. The goal is to maintain an open dialogue. She thanked the members again for their broad and far-reaching advice.

## Member Comments and Discussion

Dr. Robert Pastor (American University), NAC member, made four comments. First, he was pleased to learn that the letter was considered seriously but deemed the response as bureaucratic. He expressed concern at the extraordinary length of time required to bring a process into being and the response to study it for another year. Someone needs to be held accountable for the responsibility and action of the mandate; the agreement should be enforced. Second, the committee members would appreciate the attendance of the EPA Administrator, who ultimately considers the provided advice. Third, no acceptable explanation has been provided on the rationale behind the joining of the two prior offices (International Affairs and Tribal Affairs), which each have distinct issues. Fourth, the three nation leaders met in August 2009 to discuss issues related to the North American process, and they agreed to convene for a follow-up meeting to discuss several issues; however, that summit never occurred. The President has met with the leaders separately and discussed energy and climate change but in bilateral settings. Dr. Pastor asked whether the administration prefers to handle environment issues separately or in the context of the North American Agreement on Environmental Cooperation (NAAEC).

Ms. DePass responded that she did not know when the next summit will occur; she will try to obtain additional information. She could not comment on whether the administration prefers to deal with environmental issues bilaterally or in the context of NAAEC. Regarding attendance by the Administrator, this may be possible at a future meeting, but in the mean time, Ms. DePass will deliver the questions/advice to the appropriate parties. She clarified that she is a Senate-confirmed presidential appointee, and she serves as the appointee responsible for the advice delivered at this meeting. Ms. DePass possesses the authority and accountability to address these issues. Regarding the SEM process, as a fellow student of bureaucracy, she stated that if an issue is raised and a decision is made without studying the process and checking in with lawyers, the desired goals are vulnerable to destruction. In the current Washington, DC, climate, she wants to make changes, and she stands by the review process before any decisions are made. Regarding the joining of the two offices, the Administrator wanted to increase responsiveness to input from tribes, nations, and Alaska Native villages. When this administration came into power, the President upheld his promise to tribal nations by calling a tribal summit, which was attended by representatives from 564 nation tribes. This is the first time tribal issues have been raised to the Assistant Administrator level, and the office became OITA. Previously, tribal issues received low visibility in the Office of Water (OW), and the EPA financial resources to address these issues were controlled by OW. OITA, however, is an office in which consultation with sovereign nations can be implemented. Thus, raising the office to the Assistant Administrator level allows work with sovereign nations within and outside U.S. borders and also means that accountability and decisions regarding resources and time are made at a higher level.

Mr. David Markell (Florida State University), NAC member, made two comments. First, he found the Operational Plan to be light on adaptation to climate change. He senses that the Operational Plan is much more evolution oriented than adaptation oriented, and given current concerns about lifestyle and ecosystem health, it should perhaps carry a stronger adaptation component. His second comment was in regard to the SEM process, which he studied for several years. Citizens have lost confidence in the government's performance, and the advice last fall included five or six concrete instructions to improve the process. To the extent that this information-focused process style is potentially useful, a number of suggestions were provided for how other countries could make positive changes. He asked whether the Assistant Administrator plans to open this process or maintain it as an internal government-run process.

Ms. DePass remarked that the best manner by which to address the process still is being determined, but it will be conducted by lawyers in all three countries. Some matters will need to remain private, but she already has spoken with JPAC, and the plan is for the advice and information to be as transparent as possible.

Mr. Gerald Wagner (Environmental Program, Blackfeet Tribe), GAC member, offered reasoning for why the offices were joined together. As a member of tribal caucus for the last 15 years, he saw the need for the tribes to be elevated above OW to gain more visibility and a stronger voice. The tribal caucuses viewed this merger as very positive. The administration has taken OITA more seriously, and he is thankful for that.

Ms. Chapman clarified that they have had NAC/GAC tribal representation in the past.

Mr. Brian Houseal (Adirondack Council), NAC member, questioned the SEM process and how the three countries actually will come together to conduct evaluation impact and assessment. Often the impact is experienced on the other side of border, and there often is not a good deal of motivation for members of a party to deal with issues such as migrating species.

Ms. DePass stated that not much time has been devoted to that issue yet. She acknowledged the challenge of bringing three countries together to do something even one country struggles to accomplish (i.e., evaluation of impact and assessment). The issue has been raised a number of times at a working level, including last year at her first JPAC meeting. She does not have a practical answer for how to deal with trans-national assessment; however, she can raise the issue with her colleagues. As the gavel is turned over to the United States for 1 year, she wants to concentrate on performing a few activities very well, and she is interested in NAC/GAC advice to define these activities. In terms of JPAC, several ideas were discussed that morning about what could be done regarding tribal and indigenous communities.

Ms. Gail Small (Native Action), NAC member, commented on the importance of providing advice in the context of contemporary reality. She is concerned about the largest energy issue confronting North America. It almost is too late for trans-national environmental assessment, as it is happening now. A major issue is that the office is moving very slowly. It is critical to examine where Ms. DePass could have a voice for the greatest potential impact by focusing on large issues.

### **U.S. Overview Perspective on CEC Operational Plan**

*Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA*

Ms. Correa stressed that the Operational Plan is in draft status. The proposed draft will not be finalized until NAC/GAC advice is received and Ms. DePass has had a chance to review and approve it. The approach to this particular plan differed from previous methods. Administrator Lisa Jackson first led the U.S. Operational Plan process in 2009. From the beginning, she strived to lessen the cerebral process; her issues always came back to making a difference to the North American peoples who are least able to confront environmental issues. She asked for focus on communities and indigenous groups in tribal nations. She convinced the three countries to agree to a Strategic Plan that for the first time addressed tribal communities and a grant program based on ideas provided by NAC/GAC. This, however, differs from how Mexico and Canada operate. The issue of getting grants at the North American level is very important, but much resistance was met across the three nations. In 2010, a Strategic Plan was put together that broadly set those margins and provided an opportunity to operationalize those activities. One barrier was that work done through the CEC had to be trilateral in nature. It was difficult to make the argument that working with a specific Native Alaska village was part of a trilateral activity; however, the definition of trilateral work was expanded to allow this to happen. The CEC wants to begin in Alaska and then expand further with NAC/GAC helping to identify appropriate locations. This is an Operational Plan based on broad guidance received from the Administrator and Assistant Administrator. With the significant interest of the Administrator, the parties became very much involved (rather than letting the Secretariat do all the work), decided what activities to undertake and where the focus would lie, and asked experts from all three countries whether their requests fell within the Administrator-set parameters.

## **U.S. Overview Perspective on CEC Operational Plan Continued: Focused Discussion on Specific Projects**

*Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA*

All participants were referred to the project summary Ms. Correa had prepared. She began with the premise that this was a fund-driven operation. The projects included several ongoing activities and a number of new activities. The first project essentially was information on Pollutant Release and Transfer Register (PRTR) but with most focus on vulnerable communities. She introduced the expert from the Office of Environmental Information, Mr. Bill Sontag, whose office is responsible for the conservatory program in the United States. The purpose of this project was to respond to the interests of the United States, the other two parties, and the Administrator by attempting to build a framework that would be helpful to each of the countries and identify vulnerable communities impacted by chemical releases (broader than chemical exposure). The references and wording used are very flexible and can potentially address issues of adaptation and other concerns. The different political context of the three countries makes it difficult to be highly descriptive. Mr. Sontag mentioned that a description of technical details can be found in the back of the document.

Mr. Markell asked for more information regarding available data on the three countries, particularly on which communities are affected. Mr. Sontag stressed that other kinds of information beyond chemical exposure will be collected (e.g., environmental hazards that can affect public health). He also pointed out that the context of the countries must be considered, and it is challenging to create a template that will work for all three countries.

Mr. Kirk Cook (Washington State Department of Agriculture), GAC member, remarked that the initial statement to incorporate health effects related to climate change must be factored into this project. Adaptation also has gained more focus on state and national levels and should be incorporated as well.

Dr. Pastor agreed with what had been said about project, but taking a step back, the total budget for these efforts amounts to \$5 million per year, which is extremely limited. All of the individual communities cannot be reached with this budget. This project deals with data collection and preparation of common methodologies, which is a very strategic step getting the three countries to agree on a basic template. Dr. Pastor asked if the CEC could provide a strategy on how to use such limited funding to advance project goals.

Ms. Correa agreed on the inability to reach all communities. One step is to decrease overhead costs so that more funding will reach more sites. In this new approach, the theme of grouping common methodologies will be repeated throughout the projects but with an effort to balance that with the individual community efforts. This may not be the best approach, but incremental steps are being taken with limited resources.

Dr. Cecelia Martinez (University of Delaware), NAC member, asked for elaboration on how to bring greenhouse gas and other climate change issues into the project. Mr. Sontag replied that from the perspective of this project, the focus is on communities, disease outcomes, and the nature of environmental hazards. A great deal is known regarding the impacts of climate change, and data will be reviewed, health outcomes associated with climate change will be considered, and the morning's comments will be reflected in the document. Dr. Martinez stated that she still was unclear on how this framework would move forward; she wondered whether it would be emissions based.

Ms. Small remarked that the analysis needs to stay focused on the issues by using an approach that is cumulative and integrated; to quantify and classify vulnerable communities, it is very important to include cultural impact.

Mr. Salud Carbajal (County of Santa Barbara), GAC member, praised the breadth and diversity of the project but wondered whether the \$5 million would be used to accomplish a little of everything or

whether a more strategic, shotgun focus would be applied, leaving some outstanding issues. He expressed strong interest in the creation of an integrated matrix of the three priority areas to show the interrelationship/overlap between the projects' components.

Dr. Diana Bustamante (Colonias Development Council), NAC member, believed that too much time is spent on research. The questions should concern whether any numbers are available on the economic impact, whether these efforts impact long-term health effects, and whether a mechanism exists that can highlight that impact. Mr. Sontag responded that Contra Costa Health Services can provide methodologies to quantify and assess the impact of environmental or lifestyle-source disease. He noted that this project fits into the work being done in the U.S. Department of Health and Human Services' (HHS) U.S. Office of Minority Health and its *HHS Action Plan to Reduce Racial and Ethnic Health Disparities*, which is the most aggressive/comprehensive health and human services plan to address disparities across the United States. EPA and its Office of Environmental Justice worked together to help produce that report, and the environment was included as one of the contributing factors.

Ms. Carola Serrato (South Texas Water Authority), GAC member, noted that NAC and GAC have been given specific tasks and charges, and certain limitations should be recognized. She agrees with the need for a matrix to visualize project overlap and combine projects into subsets, which would streamline the list and make it easier to follow. It is important to not lose sight that state, local, and federal agencies also are working together; it may appear that some things are "falling through the cracks," but other mechanisms are at work. She was pleased to see some new projects, including the Grasslands Project.

Ms. Teri Goodmann (Dubuque, Iowa's City Manager's Office), GAC member, would like to include adaptation to the fullest extent possible. She also agreed on the usefulness of a matrix. Politically, all of the offices are under careful examination, which makes it all the more necessary to craft carefully these projects for maximum effectiveness, allowing EPA to move forward as a stronger reflection of the Nation's best interests.

Mr. Houseal asked whether PRTR takes into account "green" waters; tremendous emissions are released from offshore oil rigs. Mr. Sontag will consult his colleagues and supply a definitive answer. Ms. Wesson displayed a table that made it easy to determine which points fall under PRTR; each country has its own packing system and different categories. Ms. Goodmann noted that the requirements for tracking pollutants in rivers are much stronger than for oceans.

Mr. Carbajal said that EPA is involved in efforts broader than the trilateral efforts discussed here, and the Agency is vested in a different capacity, which has huge implications on power and other issues.

Mr. John Bernal (Pima County Public Works Administration), GAC member, commented that with allocation of resources, climate change, greening the economy, and so forth, it occurs to him that the three countries need to focus on job creation; CEC issues should not serve as perceived impediments to that political reality. It may be useful to examine adaptation and resources to balance these efforts.

Ms. Correa noted that this is the first year these items were considered a priority. The budget shown is for 1 year, and the next 5 years include built-in flexibility to ensure resources are allocated for all the work.

Ms. Chapman encouraged committee members to examine closely the Operational Plan and all of the individual projects during the next 2 days. She also noted that these projects need to be held up to a discriminating lens because of the lack of resources; each section contains criteria against which the projects were considered. Related to process, she noted that this was the first time the Operational Plan was put together by the parties; in the past, it was created by the Secretariat and reviewed by the parties. Ms. Correa responded that this is an interim process, the governments are held responsible, and advice should be relayed to herself and Ms. Wesson. For each of the three priorities and seven underlying



objectives, government meetings were convened with experts from the three countries, and the Secretariat was involved in each of these trilateral discussions.

Mr. Wagner asked whether the chosen projects were a result of the previous discussions or whether they already were in process. Ms. Correa responded that the chosen activities are a blend of new and previous efforts; earlier efforts were built upon to provide some context conveying a connection between Administrator and Secretariat interests.

Dr. Pastor commented that viewing challenges in terms of a matrix rather than as individual projects is an excellent idea, but he wondered how well it all fits together. He asked whether strategic objective emphasis should be placed on methodologies or individual communities. Everyone needs to be cognizant of the limited resources used to pull together a North American representation. The CEC publications are excellent, but he wondered which of these projects would contribute to the larger picture. If an appendix with two data sets—state of environment and state of policy—were added to the end of the annual report, what data would need to be created to visualize the progress during the last several years? He noted that the CEC is perfectly positioned to begin collecting this type of data. Ms. Wesson responded that Dr. Pastor queries fall under Article 12, whereas the focus of the Operational Plan falls under Article 11-5 and -6. The issue is that no significant data can be collected without a Memorandum of Intent on Environmental Cooperation. The selected projects potentially will harmonize, address gaps, and ensure data alignment to tell a story. The CEC cannot easily collect data to provide perspective on North American environment and trends. The most it could do is ensure that existing data systems are brought together. Ms. Correa added that the CEC uses data that have been collected and examines trends but does not collect the data.

Ms. Karen Gallegos (New Mexico Environment Department), GAC member, inquired about present and future funding needs, establishment of baselines, and how a project will serve future actions. One of her main concerns was to not spread limited funding too thin; the present framework may be insufficient. Ms. Correa responded that the first project represented an attempt to leverage PRTR resources.

Dr. Markell commented that the projects seem to focus on technical transfer and coordination of different countries and asked how this influences policy. He also noted that Project 8 involves environmental enforcement in North America, and he wondered how this project was selected. Ms. Correa responded that the CEC cannot examine everything, but within the present context of Administrator priorities, these were the issues that would yield the most productive results.

Mr. Jim Brooks (Marine Department of Environmental Protection), GAC member, commented on the difficulty of reaching out to others about what ought to be done. He has had meetings with the CEC about regional work on a number of issues. Somehow, connections need to be fostered with people in those regions to reach leverage points so diligence could be exercised in policy discussions.

Mr. Wennberg invited Mr. Sontag to address waste-related issues. Mr. Sontag noted that the CEC projects began about 2 years ago and involved electronic waste (e-waste) migration that is observed between the three countries. The effort to determine the amount of e-waste between the countries was approached via several phases; it is complicated because the data are limited. The first phase included methodologies on export and import of material and other analyses. Several methodologies were not validated, thus the purpose of Phase 2 was to validate those methodologies. Phase 3 was important to the core of the project; methodologies were used and integrated to develop the best possible system. Because of inherent difficulties, the project was narrowed in scope to desktops, laptops, and monitors. Phase 3 completion is slated for 1.5 years from now. The second project was to improve environmentally sound recycling. The project has begun; a workshop was held in Mexico last February with recycling and refurbishing experts in attendance to determine what issues are most important. He emphasized that refurbishment is not extensive. The process for the third project, information sharing, is being determined presently, whereas the actual sharing of information will be addressed later.

Ms. Ana Romero-Lizana (World Trade Center St. Louis), NAC member, asked about the scope of the enforcement project. Mr. Sontag noted that much of the shipping is not illegal or hazardous, making it difficult to regulate. The focus is quite specific.

Ms. Goodman asked whether application language and best practices information could be included in Project 11. She also mentioned that Project 13 does not resonate with her; she would rather see funding focused on public transportation rather than the automobile industry. Ms. Correa replied that Project 11 is a program created by committees that were mutually agreed on. For Project 13, work has been done in Mexico and the United States during prior years, and Canada advocated for this project to “close the loop.” This work focused on the supply chain to the automobile industry. Representatives from larger automobile industries were contacted, criteria were established, and offers were made to continue purchasing products if green criteria are met.

Mr. Carbajal commented on the inter-relation between Projects 5, 6, and 7 but said that landfill issues should be examined as well, particularly because of the future issue of emerging technologies (e.g., methane and nanotechnology issues).

Mr. Bernal observed that Project 4 is specific in its tasks and outcomes and found it interesting that an expected outcome was to reduce invasive species in all three countries. It is a U.S.-Canada topic but could also apply to Mexico.

Dr. Michael Dorsey (Dartmouth College), NAC member, commented on the website, which rather than consternating and/or confusing the user should energize, excite, and engage. Some results are exceptional and need to be showcased. Looking across the site at all of the projects brings the realization that they are all the same format and buried. As the user, he does not want to know about those documents, but he does want to see a significant up-front analysis, and much of this is ready for that level. It would be beneficial to use a relatively small amount of money on these line items to determine a weekly showcase that synergizes with other efforts. A public, nonvetted space for people to share can be acquired easily and will move this to the next level and leverage limited resources.

### **Operational Plan Historical Background & Overview**

*Dolores Wesson, Director of Programs, CEC Secretariat*

Ms. Wesson stated that the Operational Plan is a trinational negotiating governmental activity whose projects affect civil society. In 1995, the project themes were typically environment, economy and trade, biodiversity, pollutants, and law and policy. The projects were driven by the Secretariat and were performed annually or triannually. The plans were simpler overall. In the June 2004 Council session, the CEC met in Puebla, Mexico, and operated under the Puebla Declaration, which organizes a good deal of the information and activities within three pillars. It also set out a new vision for the CEC to include measurable results. The three pillars under which everything was organized at that time included: (1) information for decision-making, (2) capacity building, and (3) trade and environment. The resulting Strategic Plan (2005–2010) included the goal of having authoritative and effective information on environmental progress and issues. It changed to a “box” format in which specific tasks were included in each category along with a detailed budget.

From 2005–2010, the important players were the Council and the General Standing Committee (GSC). The projects document was drafted by experts from the three parties who were organized into working groups, approved and fine-tuned by the GSC, submitted to the Secretariat for commentary, and ultimately sent to JPAC for public comment. Following the Denver Declaration in June 2009, the goal was to renew, revitalize, and refocus the CEC, placing priority on healthy communities and ecosystems. Climate change was entirely new to the portfolio. Greening the economy involved the private sector.

A new process was followed after the Denver Declaration, which included the PRTR component. The current objectives and seven categories that fall under each correspond to many of the projects within the Operational Plan. Again, the process is driven entirely by the parties and follows a biannual time scale, and the budget is approved annually. The format is more detailed and based on project selection criteria set in the Strategic Plan, which includes clear and tangible results, identification of links to other projects, targeted audience and application, and beneficiary and stakeholder involvement. The process for 2011–2012 defined the role of the Secretariat to facilitate conversations among the steering committee members in drafting projects. The GSC conducted the last review with the lead authors (experts). The resulting 14 projects were identified and are awaiting feedback. The projects are listed in two budgets organized by priority. The CEC Projects from 2005–2012 are displayed and categorized by whether a project is emerging or phasing out.

In Denver, Colorado, the Council made decisions regarding new strategic initiatives or “kick-off projects.” One example is Project 9, improving the comparability of machines data, methodologies, and inventories in North America, which targets mitigation and not adaptation. Another example is the enforcement of e-waste activities. Two parts of Project 8 also were identified as kick-off projects. Another result of the Denver meeting was a series of small projects for which the Council directed the Secretariat to develop a North American Partnership for Environmental and Community Action (NAPECA) grant program, which will be launched in the near future.

Ms. Chapman asked for elaboration on criteria for projects to be “sunsetting,” which might be important for committees to learn how and why certain projects continue and others do not. The timeframe for project review seems limited; she inquired whether flexibility is built into the approvals process. Ms. Chapman also asked for further discussion on Projects 8 and 9 as they already are approved. Lastly, she mentioned that because NAPECA addresses localized issues in communities, it might fit better in Project 2.

Ms. Correa stated that there was high interest in including these types of activities in the Operational Plan. Inclusion of NAPECA grants communicates the importance of these types of activities. The activity was chosen by parties rather than through extensive consulting.

Ms. Wesson expressed her concerns about sunseting; she is reluctant to endorse initiating a project, developing it, and quickly handing it off to another agency. She believes the best institutions will see a project through and not turn it over to another institution. The real need is useful advice; a forward-moving activity should not preclude provision of guidance.

Ms. Chapman inquired about the degree of flexibility in terms of changing what currently is included in the Operational Plan. Ms. Correa responded that it is flexible, and she reminded everyone that it is a draft. The two advisory committees advise the United States; the advice provided is considered and implemented if the United States agrees with it. The original draft did not include PRTR; it had been improved for the current draft.

Mr. Brooks commented that with recent federal cuts, \$3 million was cut from EPA, which presumably would impact the CEC budget. Ms. Correa noted that as fewer funds are allocated, OITA effort funds become more committed. Ms. Wesson added that in the same way it becomes a challenge for the United States to provide its contribution, it also is not easy for the other parties to justify the spending.

Mr. Wennberg mentioned that GAC had been asking to have the Operational Plan organized into a table of projects and activities for some time. His first suggestion is that the Operational Plan campaigns or otherwise makes anticipatory recommendations. His second suggestion is to carry the Strategic Plan into the future, perhaps 10 years, to show the anticipated life expectancy of projects that still are being carried out in 2012. He proposes that the Strategic Plan address not only immediate structures but also beyond. Ms. Correa replied this could potentially occur in 2015.

Dr. Pastor requested a copy of Ms. Wesson's slide containing the table. He also addressed how little attention was paid to adaptation and asked whether the members believed that there was a serious likelihood that people would change on their own or view it as too much work. Ms. Correa commented that individual advice is not considered typically, but defensible advice from JPAC to change any project would be considered. The process includes: comments from JPAC, submission to the CEC, negotiations, and finally review and comments by Ms. DePass. Dr. Pastor asked whether this change in the process will reduce motivation for expert input. Ms. Correa pointed out page 32 of the 10-year review assessment: parties decided to take the path of least resistance by ratifying the work program that the Secretariat initiated rather than strive to build consensus based on the priorities of the Council members. She needs to defend CEC funding and align spending with the defined priorities.

Ms. Wesson pointed out the tremendous challenges facing the three parties, and she welcomes the reinvigorated participation of the parties. The parties now are driving, and the CEC is implementing. She strives to cooperate with the parties on details and budget but ensures experts in fields become professionalized and understand their role to provide advice to the three parties rather than serving as decision-makers.

Dr. Pastor appreciated the chart and endorses the comment that NAC and GAC will use it as a basis for future planning. He also noted that the CEC is the only entity that approaches a North American institution. The CEC is considered credible because of the Secretariat. Whether U.S. interest lies in evaluation of the projects and reordering of priorities, he believes that information gathering should be increased in priority.

### **JPAC Report-out**

*Irasema Coronado, Chair, JPAC*

Dr. Coronado explained that she has dedicated her life to this effort and is still not done. JPAC recently convened, and two additional meetings will occur later this year. JPAC will hold public consultation on the 2011–2012 Operational Plan and also will conduct an evaluation of the SEM process.

The first meeting took place in Mexico City, Mexico, from April 4–5, 2011, and the primary goal was to obtain feedback on the 2011–2012 Operational Plan. JPAC also discussed the effectiveness of the CEC SEM process. JPAC would like to administer a survey on all of the submissions (76 total) and the submitters. She suggests that an evaluation of the process is necessary to determine whether this is the right process for nongovernmental organizations (NGOs) and communities. Lastly, at the meeting in Mexico, JPAC had a roundtable discussion on North American transportation-related environmental issues building on CEC recommendations on destination sustainability. Representatives from trucking and railroad industries were present to determine how this report should be drafted. The second meeting (also a Council session) will be held in Montreal, Canada, from June 21–22, 2011, and the topic will be e-waste. The last session will take place in El Paso, Texas, from November 7–8, 2011, at Dr. Coronado's home institution, and the focus will be on the sound management of chemicals.

Presently the document is in the 30-day public consultation period (deadline for public comment is April 27, 2011), and JPAC plans to send advice to the Council during the first week of May.

The objective of the JPAC questionnaire is to gather feedback on the effectiveness, timeliness, and fairness of the process for a target audience of submitters, academics, legal experts, and other relevant stakeholders. The outcome is to provide advice to the Council on what must be done in terms of the SEM process. JPAC is interested in receiving feedback on the questions (posted on the JPAC website) before the survey is administered. Survey questions involve the difficulty of gathering information during the SEM process, organizations consulted, and impact of the process. Dr. Coronado is open to the possibility that the SEM process may need to be changed. JPAC members also discussed the frustration with its

communication strategy. Very few people know about JPAC; the members discussed the use of social and local media as a potential method to gain full participation.

Mr. Wennberg inquired about JPAC feedback on the Operational Plan. Dr. Coronado noted that questions were raised on the Alaska project and greenhouse gases, which still are being discussed. JPAC also is conducting a cost-benefit analysis.

Mr. Brooks said that he does not understand the enforcement issue and asked for an explanation. Dr. Coronado remarked on the theoretical process; if a person was polluting every day, she would gather a group of citizens to create a submission that indicates that the U.S. Government is not enforcing its environmental laws. When she was working as an activist and academic on this process, it was believed this was an ideal process; however, the process has become cumbersome. The three governments must agree that a raised issue is a problem and will be addressed. Two JPAC representatives have used the SEM process to address issues in their communities, and they were deemed successful admissions because the problems were addressed. Ms. Correa clarified that it is not meant to serve as litigation; rather, it is intended to create transparency on the process of dealing with environmental issues—once the issue is made known, country, government, and state will fall under public scrutiny and act on it. Dr. Coronado noted that the majority of submissions have come from Mexico; it has served as a good method for Mexican NGOs to have their problems addressed. Dr. Pastor stated that it is not yet an agreement but a pact to an agreement—Congress must approve.

Dr. Markell asked about the protocol for submission to JPAC. Ms. Chapman answered that citizens can make any comment they wish. Dr. Markell also commented on its failure of enforcement basis—citizens file submission, the country decides how to respond, parties can choose to seek assistance from the Secretariat, and a factual record exists at the end of the process.

Dr. Trujillo asked for clarity on how JPAC handles prior consent and consultation for indigenous communities, particularly in Mexico and Canada. Dr. Coronado responded that it is part of the communication strategy. The CEC needs to improve its inclusion of everyone's voice; the current representatives do not always have the same concept as indigenous communities. Dr. Trujillo indicated its importance in light of the United Nations mandate to include these communities in these conversations. Dr. Coronado has been "pushing the envelope" on this matter. Dr. Trujillo thanked Dr. Coronado for her efforts and added her gratitude for an earlier dialogue with Ms. DePass in which the issue was highlighted as an important agenda item.

### **U.S. Perspective on Council Session**

*Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA*

Before beginning her presentation, Ms. Correa indicated that the NAC and GAC members should feel free to contact her at any time.

The next Council session will be held June 22–23, 2011, in Montreal. Canada is in the midst of an election; the government cannot make decisions between now and the election date (May 7, 2011). Between May 7 and June 22, if a different government is in office, it is likely that environmental matters may not be at the forefront, and the major concern is that there will be no Council member from Canada. They have been unable to negotiate an agenda because Canada cannot do so until May 7. On June 23, the United States becomes the Council Chair. She believes the United States will have an opportunity to elevate new issues to the highest level of environment ministries. Planning has begun for the 2012 Council session and the location will be announced soon.

Ms. Romero-Lizana asked about the Chair. Ms. Correa said it is rotated every year. Ms. Romero-Lizana asked whether long-term projections could be made regarding investments, to show numbers for future returns on investment (e.g., dollar amounts saved by stronger efforts in disease prevention).

Ms. Goodman indicated that some of these projects incorporate a number of priorities, which is something people could grasp versus the cumbersome CEC projects 2005–2012 document. Dr. Pastor asked what the United States and Mexico would like to see happen during the June meeting. Ms. Correa indicated that she can only address what the United States wants to happen, which is a discussion on how the three priorities in the Strategic Plan can help acquire the goals that the Administrator has identified in the past. The country would like to bring in issues that are broader in scope, perhaps by having experts talk to ministers about their intentions with several projects. Ministers will be encouraged to focus and engage. Community outreach and connection with people to serve was discussed; on the other hand, major differences in observable progress are dependent on whether the administrators are engaged or not.

Mr. Raymond Lozano (New Detroit), NAC member, commented that Project 12 includes subsidies for subcontractor training of minorities, and this has led to significant results on a small budget. For Project 13, the Ford Motor Company recently developed an engine that is lighter and created from recycled products. The more automobile industries showcase recycled products, the more motivated other countries will be to embark on similar efforts. Ms. Correa indicated it is of high value for her as well; the Administrator would be in favor in terms of creating jobs and helping the economy. Ms. Wesson indicated Article 15 contains more information from a Commissioner report on green buildings. Ms. Goodman stated that her group also had discovered job creation related to green housing. The group had created a deconstruction training program to use on buildings that were required to meet preservation community codes.

### **Public Comment Period**

Mr. Wennberg asked whether any members of the public would like to offer comment or ask a question. No public comments were offered.

### **Summary and Next Steps Discussion**

NAC/GAC Chairs

One member suggested calling for public comments earlier in the meeting sessions; some members of the public were present during the morning but left at the lunch break. Mr. Mark Joyce (OFACMO, EPA) suggested asking for public comment just before lunch to allow for some presentations to be conducted prior to the comment period.

Ms. Serrato inquired about the next meeting in 6 months in Austin, Texas. Ms. Chapman responded that a plan is in process.

Ms. Chapman adjourned Day 1 at 3:52 p.m.

## **FRIDAY APRIL 15, 2011**

### **Questions and Logistics**

*Oscar Carrillo, Designated Federal Officer, EPA*

Ms. Stephanie McCoy (OFACMO, EPA) discussed travel reimbursement and other logistics with meeting participants.

Mr. Carrillo requested all participants to review the minutes from the November 2010 meeting. Mr. Wennberg invited participants to submit edit or correction requests at that time. The minutes were approved with no changes.

Mr. Carrillo asked whether there were any issues to discuss regarding the next meeting in October to be held in Austin, Texas. All suggestions will be forwarded to Ms. Chapman. Mr. Wennberg relayed a number of ideas for the Austin meeting from Carlos Rubinstein, Texas Commission on Environmental Quality (not present): (1) improved project approval process and methodology of determining success (currently based on funding); (2) discussion of improved corporate agreements (i.e., information sharing and cooperation); (3) discussion of U.S.-Mexican international waters projects—to examine more holistically (i.e., view as a watershed issue and ignore international border); and (4) efforts to address environmental flows of rivers and streams that he can present in the Senate Bill 3 (SB3) process. Ms. Chapman noted that for the last item, Project 4 actually is making a binational effort to obtain a flow regime that fits the environment.

Ms. Serrato commented on the SB3 process: Texas has been divided into various regions in an effort to balance the demand of water with the area's resources. It has evolved into an SB3 process; the inflow means are obtained and sent to all involved stakeholders, who will examine these from a practical point of view and determine how to balance the scientific means with actual amounts. Ms. Chapman noted that the SB3 process is very state-oriented and does not have a lot of elements related to the CEC and international cooperation. Ms. Goodmann indicated that various options should be explored as water becomes threatened.

Mr. Bernal added that the commissioners from the United States and Mexico should be invited to demonstrate how the two countries can cooperate together effectively.

Mr. Carbajal commented that in previous discussions, he and Ms. Correa agreed that the Strategic Plan should address water quality and watershed issues. Mr. Wagner offered further comment on water quality issues; he noted that the impact of water quality differs greatly between the north and south and significantly impacts border tribal communities. It is of utmost importance that every body of water is considered and results come out of these efforts.

Mr. Joyce commented on the purpose of the CEC and NAC/GAC to address tribal issues. Water issues are important to all three countries; however, they have not been handled much by the CEC because the organization is very mindful of what it could best address with its resources—several bilateral and other efforts already are under way. He encouraged the NAC/GAC members to prioritize the items central to the CEC as they consider the agenda.

Mr. Wennberg relayed that the main focus of the separate committee meetings was to develop priorities and ideas that would be reflected in the advice letter. He highlighted the importance of digesting the charge questions and then synthesizing words of advice. Mr. Wennberg will deliver the final advice letter for review. Mr. Carrillo indicated that the CEC requests the letter by May 6, 2011, but April 29, 2011, is preferable.

Mr. Wennberg asked whether any members of the public would like to offer comments or suggestions. No public comment was offered.

Ms. Chapman asked participants to schedule flight reservations to allow full participation in the scheduled committee discussions.

## **Committees Meet in Separate Sessions**

### ***GAC Session***

Mr. Wennberg suggested that the members comment on the Operational Plan's substance, format, and specific listed projects. Next, they would review and discuss the response to the advice letter that was

submitted last December. He also wanted to discuss what the members thought was missing from the Operational Plan (i.e., identify the existing gaps). He asked the members whether they wanted to cover any other aspects of the Operational Plan.

Ms. Gallegos commented that an introductory summary of the Operational Plan would be useful; the document's large volume makes it difficult to parse out the important information. The summary would ideally highlight the reasons certain projects were brought forward, as well as set context with a short synopsis of each project. Mr. Wennberg noted that Ms. Correa and Ms. Wesson developed a 3-page summary of the projects; perhaps an executive summary could be attached.

Ms. Serrato returned to the 1-page matrix idea, and she requested that it list all projects on the left side and checked or unchecked boxes (results used in another study, conference, training programs, etc.) on the right side. Mr. Carbajal agreed on the utility of a matrix and added that it should report on project specifics such as related priority area(s), the objective it is meeting, overlapping relationships and outcomes with other projects, project length, and level of funding. In this manner, it would provide perspective on the strategic nature of the plan and what it is intended to accomplish.

Mr. Cook pointed out that many of these projects deal with more than one of the three major priorities, and caution should be exercised to not "pigeon-hole" each project into one of those categories. He also raised concern about using limited funding on four of the listed projects that are duplications; their outcomes already have been achieved by non-CEC entities.

Mr. Cook mentioned that Canada often is unaware of work that has been conducted in the United States or Mexico. He thinks that the letter should advise the CEC to dig deeper into evidence of previous work on the listed projects and take advantage of previous efforts performed in the other two countries.

Mr. Wennberg indicated that at least one project's outcomes already have been accomplished by a private entity. He pointed out that even in cases in which other entities have not achieved the outcomes already, it often makes sense for other entities to conduct certain activities instead of the CEC; use of the private sector is sometimes more advantageous.

Ms. Gallegos raised a concern about the lack of specific deliverables in relation to the specific monetary award; environmental outcome is important but is usually too general and conveys less impact than solid metrics. Tying funding with the deliverable is particularly important when another party is funding a similar project or piece of a similar project; it is useful to identify with other aspects of a potentially larger project. Linkages within larger projects could be useful in leveraging funds from other sources.

Mr. Carbajal said that he never got a sense of the criteria and value system used to evaluate the projects. He first wished to consider the practical projects that already have a system of best practices; the countries should be handling those projects individually. He indicated that priority should perhaps rely on trilateral objectives and that building infrastructure capacity could actually enhance the efforts on the continent. The missing piece may be to examine the criteria and understand them better.

Ms. Serrato believed that the return on investment component should be further considered (e.g., a certain amount of money spent now on respiratory syncytial virus [RSV] prevention will save five times that amount by effectively preventing RSV in children). Mr. Wennberg noted that when specific goals are achieved in a specific project, the benefits should be shown in dollars or decreased incidence; the objectives have been well established but not the next layer of results.

Mr. Bernal commented that the Operational Plan document should include an introduction that describes what the document is, how responsive it is to priorities, and how it links to objectives.

Mr. Wennberg pointed out the significant differences in content and tone between earlier plans and this one. Previously, the process was as follows: (1) the working groups (staff members from EPA and their



areas, including specialists) proposed ideas for new expansion within their interest areas; (2) the Secretariat reviewed and modified the draft; and (3) the Operational Plan was presented to the Council. Those invested in current programs proposed the initial projects; these projects were difficult to dislodge because invested individuals wanted the projects to continue, and hence, new projects were challenging to initiate. To address this issue, control of the Operational Plan was taken away from the Secretariat and members; by definition, the three parties now negotiate the plan. He believes this approach may have evolved into a “back-scratching” political association and thus will likely never result in a clear process and clear priorities. Either approach has its advantages. This draft reads like a political compromise document and not like a work plan based on criteria.

Mr. Cook expressed full agreement. He noted political associations for Project 2 and Project 13; the Indian Health Service requested the Alaska project, and it has been stated that Canada is owed the automotive project because Mexico and the United States already completed it.

Ms. Goodmann also expressed agreement but posed the question of whether people sent in grants or whether the grants were retroactively fitted into existing projects. Mr. Wennberg said that it was his understanding that this came from the parties; it appeared that no advocacy groups, third parties, or tribes were instructing the plan’s formation. Essentially, the three parties discussed and decided what they believed the Operational Plan should look like; the plan did not come from the Secretariat or working groups, as was always the case previously. He reminded the participants that as an advisory group, they had criticized that the plan was driven by working groups; however, that process has been traded in for a political “horse race” in which the plan is being developed from the inside and is fully top-down.

Ms. Goodmann suggested that they ask Ms. Correa and Ms. Wesson for a nominal set of criteria on why the projects were selected. This motion will either support or subtract from the political context. Perhaps the advice letter should suggest an injection of transparency into the selection criteria for moving forward.

Ms. Serrato noted that the committees, in a way, got what they requested; caution should be exercised when arguing against that result. The committees need to be tactful and careful about vigorously pointing out that this is a political trade-off.

Mr. Wennberg commented on the advantages to this approach. Its transparency and lack of criteria are problems, but alternatively, it is seemingly the best manner by which to select projects that serve the means of the parties. He likened the process to sausage—people tend to like the product but do not want to know about the process. He asked the participants whether they believed that this method is too biased. Perhaps a more systematic and structured approach—different from the past process—is preferable.

Mr. Bernal said the issue is resources. The committees should query in the strongest terms possible how this number of projects could be accomplished on such a limited budget.

Mr. Cook believed that members were most unhappy about the lack of criteria details, which is probably the most diplomatic manner to approach the subject. Mr. Wennberg confirmed that all were content with the approach of getting the message across without being excessively vocal and asking for more transparency in terms of rationale.

Ms. Goodmann, as a person in government, assumed the CEC would need to present explanations of project significance. She believed that the process, overarching goals, and overall goals are difficult to ascertain.

Ms. Gallegos recognized that this is more of a political process than usual, but the CEC needs a gentle nudge to outline criteria, nothing very detailed. These 14 projects must have met certain criteria to be selected. The CEC would benefit from a communications strategy, not just for NAC/GAC purposes but also to gain public recognition and understanding.

Mr. Carbajal suggested that the committee re-examine the decision-making process for this plan of projects, which may lend an opportunity to provide input. He thought that asking fundamental questions this late in the process is less than ideal, and perhaps there are better opportunities in the process for which the committee could provide input and generally serve one another better.

Mr. Wennberg replied that the Strategic Plan may be the ideal opportunity to provide input before projects are selected. The Strategic Plan led to creation of the three priorities, which differ in content and approach. The priorities were created to make an impact in reasonably defined areas. The pillars make statements of where the efforts will concentrate. The focus of the Strategic Plan now is on outcomes rather than on the process, which is a major departure from previous approaches. The members had opportunities to comment on the Strategic Plan, but it is very broad.

The committee provided comments on individual projects:

**Project 1**—*Capacity building to improve environmental health of vulnerable communities, \$225,000/2 years.*

Mr. Carbajal questioned whether this project takes advantage of best practices. Ms. Goodmann suspected that some of this work already has been done outside the federal realm, and she would like to see some NGOs and the private sector considered. Mr. Wennberg responded that he does not view this effort as a literature search, but it does bring people together to develop a theme. The work already done by others should be considered to reduce duplication of effort. Mr. Wagner asked whether CEC is partnering with the Science Council, and if they planned to gather data or “reinvent the wheel.” Mr. Cook noted that the Agency is so big and has so much happening that often one branch does not know what another branch is doing; adaptation needs to be applied.

**Project 2**—*Indoor air quality in Alaska, \$500,000/2 years.*

Mr. Wennberg wondered why the CEC was investing in indoor air quality when many other projects qualified. Mr. Wagner remarked that the issue is that Alaska Native villages are not recognized as tribes and, therefore, are not eligible for grants. EPA typically does not direct General Assistance Program (GAP) money at this sort of effort. Access to this type of funding is limited and may underlie its involvement in this framework. Other committee members indicated that this information was new to them. Mr. Cook questioned whether this is the right funding source for this high-merit project and wondered whether more appropriate funding sources are available. Mr. Wennberg remarked that more money than the CEC has allocated is required to complete this project. He wondered whether one of the products should be to determine how to match available funding from outside of the CEC to meet this need in the future (i.e., not operate under the assumption that the CEC always is going to provide it). Mr. Wagner stated that he has been a member of the National Tribal Caucus for the last 15 years and has heard Alaskan input. For whatever reason, the funding flows to Alaska are very limited. The Alaska Forum on the Environment has generated a great deal of discussion on GAP and how to use its funds, which brings up other Alaskan environmental issues. Mr. Bernal commented that perhaps a better explanation is warranted on this effort as a continuation project. Mr. Joyce said perhaps after the overall and specific projects are discussed, the three governments should set priorities. He believes that rather than working groups operating from the bottom up, the bureaus and agencies are responding from this perspective. Mr. Wennberg expressed the notion that the committee mostly is trying to explain or make a better fit so the issues would better resonate to someone reading it for the first time.

**Project 3**—*Grasslands management initiatives and partnerships, \$590,000/2 years.*

Mr. Cook pointed out that several elements of this project already had been completed, but it is a matter of using the work for a trilateral basis. This effort ultimately sets the stage for a cap and trade system and thus for a certain sector to profit financially. It carries immediate value in bringing awareness to the present status and what the future holds. Ms. Serrato commented that she took offense to the project; it is poorly coordinated and claims that little work has been done in this area. She did not believe the CEC

performed enough research to determine what work is being done. Mr. Wennberg summarized that the GAC generally like the project but wanted to see that the work performed by other sectors is considered and that resources are used to move forward and not used on duplication.

**Project 4—*Big Bend-Rio Grande landscape conservation, \$1,093,000/2 years.***

Ms. Serrato said that it was refreshing to see a project focused on water issues.

**Project 5—*Chemicals and community ecosystems, \$412,000/2 years.***

Mr. Wennberg did not study this project because it is one of the perennial CEC success stories.

Mr. Wagner would like to see improved access to the data, particularly related to the transboundary issues on chemical flow between the Canadian and U.S. borders.

**Project 6—*Risk reduction strategies for chemical exposure, \$564,000/2 years.***

The GAC members had no specific comments on this project.

**Project 7—*Environmental monitoring, \$550,000/2 years***

Ms. Serrato said that she was puzzled by the long-term storage of mercury task. Mr. Wennberg noted that the two projects are essentially continuations. Significant efforts are under way in the Northeast to remove mercury from the dairy industry; this project applies the program to other areas (e.g., a broken glass vial of mercury in a barn presents a major problem). Mr. Wagner expressed concern over shellfish consumption. Mr. Wennberg added that it also is an issue at power plants and storage facilities. The subsidized program to replace glass thermometers with digital thermometers did not cost a great deal of money.

**Project 8—*Environmental law enforcement in North America, \$1,024,000/2 years.***

Mr. Wennberg clarified that the focus is on illegal trade; guards standing at the borders need to function well as generalists. They need to be trained to recognize invasive species, illegal drugs, noncompliant engines, and other illicit materials that cannot cross the border. Ms. Serrato pointed out the potential travel and temporary staffing expenses that will occur every time training is included as a deliverable. A training method that does not create such a major monetary loss needs to be identified. Mr. Bernal believed the project description needs a problem statement; Mr. Wennberg had described it better than the document.

**Project 9—*Improved comparability of emissions data, methodologies, and inventories, \$195,000/2 years.***

Mr. Brooks said that if he were to contract this out, it would take a few interns a few months to complete, not 2 years. This is an instance in which, again, a great deal of work already has been done by private industry. Mr. Wennberg stated that the CEC should ensure it is viewing and appropriating work performed by others when drafting these plans and specifying tasks.

**Project 10—*Quantify and manage emissions reductions, \$570,000/2 years.***

Mr. Brooks noted that a great deal of this project already has been done. Mr. Cook pointed out that all of these government projects are working with a good deal of data; the CEC seeks to repackage it under one umbrella and gain additional buy-in. Mr. Wennberg added that the CEC has done amazing work in the past with the North American Environmental Atlas (changes in land use), which was extremely useful and provided user-friendly opportunities to access the information and also maintained consistent standards of practices, metrics, and requirements in all three countries.

**Project 11—*Improve access to on-line climate change information, \$260,000/2 years.***

Mr. Wennberg disclosed financial personal interests in an effort that currently is investing significant resources to meet some of this need. He thought that it was a significant amount of money to spend on a product that will be available from a different source in 2 months. Ms. Gallegos wondered whether the addition of adaptation objectives might be helpful here as well. Mr. Carbajal voiced his opinion to add adaptation to as many projects as appropriate.

**Project 12—*Green building construction, \$60,000/1 year.***

Ms. Gallegos commented that with the sentiment in Mexico that green building does not assist with job production or growth, it is a polarizing political issue. Mr. Carbajal said that it was his understanding that the most effective means to reduce greenhouse gases is by addressing existing stock, but retrofitting existing structures is a major undertaking.

**Project 13—*Automotive industry supply chain, \$200,000/2 years.***

Mr. Wagner commented on the use of recycled materials in the automobile industry. Mr. Joyce noted that everybody wins in this program. Someone's job will be to work with the subcontractors in this industry; most parts are subcontracted out and not made by the manufacturer.

**Project 14—*Pollutant release and transfers, \$435,000/2 years.***

No comments were offered.

Mr. Wennberg asked whether the members thought that anything else was lacking from the Operational Plan.

Mr. Brooks highlighted communication, saying that most stakeholders have had to communicate in different ways during the last few years. Projects should include manager approval, input test (does it address science, support, etc.?), and other tests. It has become particularly important as tightening budgets allow for less travel, making an enhanced communication strategy necessary. Mr. Wennberg commented that this sort of activity potentially could be included in the next document.

Mr. Wagner commented on the water issue of transboundary Canadian tribe floods, but they are excluded from the process. Mr. Joyce remarked that the joint committee handles water issues involving the United States. Ms. Gallegos recalled from the November 2010 meeting Ms. Correa's description of the difference between bilateral issues and those that qualify for the CEC. Ms. Gallegos thought that water may have been excluded from the original charge because of its political nature. Mr. Wagner countered that environmental issues related to this water problem may not have been considered. He believed that this should be considered as a bilateral issue.

Mr. Wennberg finished by asking for comments on the second charge question. No comments were offered.

***NAC Session***

Ms. Chapman began the session by noting that this meeting was the committee's opportunity to discuss the advice that it would like to offer EPA and the members' thoughts on the prior day's presentation. She asked the members to quickly look over the charge questions and said that the committee was free to offer EPA advice on other topics, but focusing on the charge questions would be most useful for EPA. She wanted to start by discussing specific topics that the members brought up during the prior day.

Dr. Pastor asked the committee whether it was satisfied with EPA's February 28, 2011, response to NAC's December 31, 2010, advice letter and added that he was not. Ms. Chapman said that she was not terribly satisfied with the response either but said that even if EPA Administrator Jackson had been the respondent, the nature of the response likely would not have been much different. NAC was advising on very specific issues related to the SEM process, and Administrator Jackson does not get involved in that level of detail. Ms. Chapman was dissatisfied with the response mainly because it was evidence of poor communication.

Ms. Chapman thought that progress toward improving communication had been made during the prior day, however, when the NAC members had the opportunity to question Ms. DePass. In addition,

Ms. DePass learned more about the SEM process and its importance. Ms. Chapman suggested that a meeting between the committee and Ms. DePass would be valuable. It would provide NAC an opportunity to clarify its message. She thought that it was encouraging that Ms. DePass was interested in discussing the SEM process further.

Ms. Chapman asked whether the committee members thought that NAC should seek a meeting with Administrator Jackson, as proposed by Dr. Pastor. There was a consensus among members that it was not necessary. They thought that Ms. DePass was capable and knowledgeable. She had taken account of the committee's comments. Dr. Pastor thought, however, that a meeting with Administrator Jackson would allow members to ask about the United States' broad environmental strategies and plans for bilateral agreements. Ms. Chapman responded that Administrator Jackson was unlikely to attend a NAC/GAC meeting and that she thought that answers to these types of broad questions would not help NAC with its specific mission to advise the CEC Secretariat and Council.

Ms. Jones-Jackson suggested that if committee members were interested in meeting directly with Administrator Jackson, they could attend the upcoming CEC Council session, June 21–22, 2011, in Montreal. Ms. Romero-Lizana, Dr. Pastor, Mr. Houseal, Dr. Bustamante, Ms. Small, and Mr. Markell expressed interest in attending that meeting. Ms. Chapman indicated that Administrator Jackson would be able to have a 30–60 minute meeting with them. Dr. Martinez stressed that it would be important for committee members to have specific goals for meeting with the Administrator so that it would be worthwhile. Ms. Jones-Jackson said that she would try to provide funding for some, but probably not all, NAC members to attend. Mr. Houseal suggested a conference call among interested parties to discuss logistics.

Ms. Chapman said that she thought that the committee members would find attending the Council session a worthwhile experience. She said that at a past meeting she spoke with JPAC delegates from Canada and Mexico, and they thought that it would be beneficial if their respective nations supported advisory committees such as NAC and GAC. Mr. Carrillo stated that Canada and Mexico had provided such support in the past. Dr. Bustamante asked whether the NAC members would be mostly observers. Ms. Chapman answered that the NAC members could meet with Administrator Jackson and attend the public JPAC workshop, in which they would hear invited testimony that would be very interesting, but they would not be participants like they are during the NAC/GAC meetings.

Mr. Markell asked the committee members what they thought the CEC should be focusing its efforts on, given NAAEC's broad mandate. Mr. Houseal suggested that the CEC's mapping projects were very valuable and widely used. Ms. Chapman asked whether the committee wanted to provide the CEC specific recommendations or general guidelines regarding what to fund. Dr. Pastor answered that he favored the general approach. He thought that the CEC was in a unique position to consolidate data that have been collected already by the three countries, harmonize the data, and report on what was known and not known about the state of the environment and environmental policies in the three nations. He suggested that the CEC could organize this information in a trilateral environmental data matrix and update it annually. Mr. Houseal thought that this was a good idea, although he thought that every 5 years was more realistic and that it was necessary to choose which data sets to maintain. Dr. Pastor thought that this was the best manner for targeting the CEC funds, which are limited when compared to U.S. investments in environmental border issues through other institutions (e.g., National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service). Mr. Brent agreed and said that the committee should focus on issues that affect all three nations.

Dr. Pastor questioned why the upcoming evaluation of the SEM process planned by the CEC will take a year. Ms. Chapman reminded him that attorneys from three countries were involved, and JPAC also had requested information from past submitters. Mr. Markell said that NAC could recommend studying the issue of timing in the SEM process separately, and this could be discussed at the June 2011 Council session. Dr. Martinez said that she thought 1 year was not too long for assessing the SEM process, given

that it involved the legal systems of three countries. She wanted to be sure that at the end of the study it was clear exactly what was broken with the process and there was agreement on what areas needed immediate attention.

Dr. Pastor maintained that the timetable for the SEM process was protracted because enforcement was not a high priority for the three nations. Mr. Markell pointed out that in Mexico, the SEM process—despite its imperfections—still was being used because there were not many other avenues for enforcement of environmental laws. In the United States and Canada, on the other hand, the process largely has been abandoned because of its slowness, limited scope, and lack of follow up. Mr. Markell said that differences between the environmental laws of the three countries also hinder the progress of the SEM process. Ms. Chapman added that there are sovereignty issues within nations that complicate it. Mr. Houseal pointed out that there are sovereignty issues for indigenous nations that straddle borders as well. He had been asked to write a memo about it, and there are plans to form a subcommittee to study the issue.

Dr. Pastor said he thought that NAC had advised in the past that the analysis and enforcement parts of the SEM process be separated. In the previous day's discussion, it was acknowledged that enforcement is what slows the SEM process. Mr. Houseal commented that there needs to be a cooperative approach to the analytical part of the SEM process. Ms. Chapman asked Mr. Houseal to help with the language about this issue in NAC's advice letter to EPA.

Ms. Chapman asked members for help drafting other parts of the letter. She suggested that the letter state that NAC is gratified that the CEC is committed to improving SEM, is looking forward to it being a transparent process, and would welcome the opportunity to be involved in the overhaul, given that members are very informed about the process and have provided numerous recommendations about how it could be improved. Dr. Martinez suggested reaffirming NAC's past advice on the SEM process. Mr. Brent said that the letter also should say that NAC looked forward to seeing the results of EPA's commitment to reforming the SEM process. Mr. Markell suggested that the letter commend EPA for its recognition that the SEM process needs improvement, thank EPA for the opportunity to comment, remind EPA that the NAC has given advice before about the SEM process, express a desire for the revision of the SEM process to be open, and express a hope that the Agency will commit to engaging the public in the revision of the SEM process despite the legal issues involved. Ms. Chapman thought these were good points. Mr. Houseal suggested asking for periodic updates on the SEM revision study. Dr. Pastor proposed advising that the analysis and enforcement parts of the SEM process be separated.

Ms. Chapman asked that the committee discuss the projects being considered for funding by the 2011–2012 CEC budget. She said that Ms. Correa had asked the NAC to consider whether the project list should be expanded. Ms. Chapman thought instead that some projects should be removed and asked the NAC members for input on which ones. Dr. Pastor thought that only those projects that fill data “holes” in the trinational environmental data matrix should be funded. Dr. Bustamante wanted to rule out projects that were not bi- or trinational in scope. Mr. Carrillo suggested that consulting the summary list of which nations plan to fund which projects might be helpful. Ms. Chapman said that she wanted to know whether the activities in these projects would continue during the long term. Dr. Martinez agreed. Mr. Houseal reminded the committee of Dr. Dorsey's suggestion the previous day that projects should include a social media component to engage the public. This would help institutionalize them and extend their usefulness. Ms. Romero-Lizana thought that this was a good insight. Outreach through social media would engage the younger generation. She said that there are security issues in Mexico that make citizens reluctant to use social media, but it would be beneficial to find a way to overcome this barrier. Mr. Markell commented that none of the projects focused on adapting to global climate change.

The NAC members then focused on some of the individual projects. Mr. Houseal asked why Project 14 did not include marine monitoring. Dr. Bustamante commented that some of the projects, such as Project 2, appear to have been completed already. Ms. Chapman and Dr. Pastor thought that Project 2 was more appropriate for a NAPECA grant than a CEC-funded project. Dr. Pastor said that some of the projects, such as Project 3, were too ambitious for the CEC's resources. He thought that each project should be

evaluated as to whether it fit in the trinational environmental data matrix. Ms. Chapman thought that abandoning the CEC Strategic Plan in favor of the matrix was questionable, given the work that had been invested in developing it. Dr. Martinez urged caution in reviewing the merits of individual projects. She suggested that the projects already may have been vetted by experts. Instead, she suggested that NAC emphasize which projects best fit the criteria of usefulness based on the proposed matrix. Dr. Pastor was concerned that reviewing each project at this meeting would be too time intensive. Ms. Chapman proposed drafting language describing the trinational environmental data matrix, sending it to the NAC members, and having each member send her a list of how he/she thought each project fit in the matrix. She was not comfortable engaging in this process before the language describing the trinational environmental data matrix was drafted.

Mr. Houseal commented that if it was not clear to the committee why these 14 projects were chosen, it was not going to be clear to the general public. Mr. Markell suggested that it would have been useful if the document describing the CEC projects had included an executive summary in which each project's relation to the Strategic Plan of the CEC was described. Mr. Markell said that this related to Charge Question 1c, whether the format of the new CEC Strategic Plan 2011 was user-friendly, and the answer is "no." He thought it also was important that the process by which the Strategic Plan itself was developed be transparent.

Ms. Chapman said that she would draft a framework for an advice letter to EPA and send it out to members next week. She will ask members of the committee for help in writing some of the paragraphs. Mr. Houseal stated that NAC's purpose was to provide a context to the CEC for making funding decisions. He reviewed the CEC's three priorities and suggested that when choosing projects to fund, the CEC consider what would be indicators of a project's success, what data need to be collected to support indicators of success, how projects fit the priorities of the Strategic Plan, and whether they should and do fill data gaps. The overall outcome of the CEC-funded efforts should be to ascertain the state of the environment in North America. Ms. Chapman noted that the advice given today echoes that offered in the past but has more clarity. She commended the committee for getting closer to and overcoming the limitations of its goal.

Ms. Jones-Jackson thanked the NAC members for attending the meeting and freely expressing their opinions. She said that the NAC/GAC meeting provided the Agency with the opportunity to obtain independent advice. She noted that EPA can arrange a conference call for committee members interested in continuing the day's discussion and for those who want to attend the Council session. Ms. Jones-Jackson also will provide NAC with a copy of the PowerPoint slides from Ms. Wesson's Day 1 presentation.

Mr. Brent said that one issue that had not been raised was the cost of energy, which is a significant issue for industry. Given the current economy, it is difficult for industry to make the capital investments to improve energy efficiency. He thought that the CEC should address energy independence in the context of greening the economy. Mr. Houseal said that mapping energy resources could address impacts on vulnerable communities such as indigenous populations. Ms. Chapman stated that commenting on the North American Environmental Atlas might be a good context in which to make this point, which NAC has raised before.

## **Committees Reconvene in Plenary Session**

### *Report-Outs from NAC/GAC Chairs*

Ms. Chapman reported that the primary topic of the NAC meeting was the formulation of a matrix set in a larger context that included information on areas in which the CEC is uniquely positioned to perform, including all of the organizations involved in the trinational picture. NAC's hope is that the Operational Plan will be easier to understand in the context of the CEC and the data available.

Mr. Wennberg reported that the GAC members viewed the Operational Plan from three different overlapping perspectives:

- ✧ Format—many opportunities for improvement were identified; suggestions will be offered in the letter.
- ✧ General approach—this was a challenge for diplomacy to not be misinterpreted as excessively critical but rather constructive. The committee recognized the need for clarity along with transparency in terms of the selections made for specific projects. Care must be exercised in critique as this process is consistent with many years of advice.
- ✧ Projects—the committee discussed each of the projects. Several themes emerged, including conducting comprehensive reviews on project background, consideration of partnerships and resources, and development of a process-driven plan (i.e., to not launch a project until certain it will meet its mission). Opportunities that are not defined clearly in some of the descriptions also were identified.

Mr. Roger Vintze (California Department of Toxic Substances Control), GAC member, commented that he had a number of additional insights on e-waste and he would send them to Mr. Wennburg after the meeting.

Dr. Pastor asked Mr. Wennberg if on reviewing the projects, any were considered less important than others. Mr. Wennberg responded that the priorities presented by the plan were accepted. Mr. Cook commented that many had attended the meeting with some skepticism about one particular project that could be removed. Mr. Wennberg added that he had come to a political understanding of some of the complicated rules surrounding these issues; this general topic generated a good deal of discussion.

### **Public Comment Period**

Mr. Wennberg asked whether any members of the public would like to offer comment or ask a question. No public comments or questions were offered.

Mr. Wennberg thanked the committees for their attendance and work at the last two meetings. He noted that there is a short turnaround time, and the members would receive something from him in a matter of days.

Ms. Chapman also thanked Mr. Joyce, Mr. Carrillo, and Ms. Jones-Jackson for nonintervention in conversations and their assistance in sorting through the details. She also thanked the organizational staff.

Ms. Chapman adjourned the meeting at 1:04 p.m.

### **Action Items**

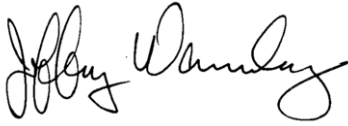
- ✧ The GAC members will send a list of local water challenges to Mr. Wennberg via e-mail.
- ✧ Mr. Wagner will write a paragraph on each of the tribal issues that he considers important and send them to Mr. Wennberg via e-mail.
- ✧ Ms. Goodmann will send Mr. Wennberg specific examples regarding greening the economy via e-mail.
- ✧ Mr. Vintze will send Mr. Wennberg his thoughts on e-waste via e-mail.



- ✧ Mr. Wagner and Dr. Trujillo will develop their idea regarding a tribal subcommittee and send it via e-mail to Mr. Wennberg.
- ✧ Mr. Wennberg will draft a paragraph in regard to CEC reporting qualitative data regarding its fundraising and leveraging efforts.
- ✧ Mr. Carrillo and EPA staff will provide briefing materials to members electronically 7 to 10 days in advance of the meeting and will provide hard copies if requested.
- ✧ The option of a joint advice letter will be considered at a future meeting.
- ✧ Ms. Chapman will draft the NAC advice letter, leaving blank areas for other members to complete.
- ✧ Dr. Dorsey will offer further comments via e-mail.

## SUMMARY CERTIFICATION

*I, Jeffrey Wennberg, Chair of the Governmental Advisory Committee, and I, Karen Chapman, Chair of the National Advisory Committee, certify that the meeting minutes for the dates of April 14–15, 2011, are hereby detailed, contain a record of the persons present, and give an accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committees. My signature date complies with the 90-day due date after each meeting required by GSA Final Rule.*



---

Chair, GAC

May 13, 2011  
Date



---

Chair, NAC

May 13, 2011  
Date

## Appendix A: Meeting Participants

### NAC Members

**Karen M. Chapman, Chair**  
Great Lakes Regional Director  
Environmental Defense

**Timothy A. Bent**  
Director  
Environmental Affairs  
Bridgestone America

**Diana Bustamante, Ph.D.**  
Executive Director  
Colonias Development Council

**Michael K. Dorsey, Ph.D.**  
Assistant Professor  
Environmental Studies Program  
Dartmouth College

**Barry Featherman, Esq.**  
Executive Director  
Global Center for Development &  
Democracy

**Kevin P. Gallagher, Ph.D.**  
Associate Professor  
Department of International Relations  
Boston University

**Brian Houseal**  
Executive Director  
Adirondack Council

**Raymond Lozano**  
Director  
Race Relations & Cultural Collaboration  
New Detroit

**David L. Markell, J.D.**  
Steven M. Goldstein Professor  
College of Law  
Florida State University

**Cecilia R. Martinez, Ph.D.**  
Associate Research Professor  
Center for Energy and Environmental Policy  
University of Delaware

**Robert A. Pastor, Ph.D.**  
Director, Center for North American Studies  
Professor of International Relations  
School of International Service  
American University

**Ana Romero-Lizana**  
Director  
International Business Development  
World Trade Center St. Louis

**Gail Small, J.D.**  
Executive Director  
Native Action

### GAC Members

**Jeffrey N. Wennberg, Chair**  
Board Member  
Development Review Board  
City of Rutland, Vermont

**James P. Brooks**  
Director  
Bureau of Air Quality Control  
Maine Department of Environmental Protection

**John M. Bernal**  
Deputy County Administrator  
Pima County  
Public Works Administration

**Salud Carbajal**  
First District Supervisor  
County of Santa Barbara

**Kirk V. Cook**  
Supervisor  
Washington State Department of Agriculture

**Karen Gallegos**  
Director  
Water and Wasterwater Infrastructure  
Development Division  
New Mexico Environment Department

**Teri H. Goodman**  
Assistant City Manager  
City Manager's Office  
City of Dubuque

**Carola G. Serrato**  
Executive Director  
South Texas Water Authority

**Octaviana V. Trujillo, Ph.D.**  
Tribal Council Member  
Pascua Yaqui Tribe

**Roger Vintze**  
Manager  
California Department of Toxic  
Substances Control

**Gerald Wagner**  
Director  
Environmental Program  
Blackfeet Tribe

**Designated Federal Officer**

**Oscar Carrillo**  
Office of Federal Advisory Committee  
Management and Outreach  
U.S. Environmental Protection Agency

**EPA Participants**

**Michelle DePass**  
Assistant Administrator  
Office of International and Tribal Affairs  
U.S. Environmental Protection Agency

**Sylvia Correa**  
Senior Advisor for North American Affairs  
Office of International and Tribal Affairs  
U.S. Environmental Protection Agency

**Cynthia Jones-Jackson**  
Office of Federal Advisory Committee  
Management and Outreach  
U.S. Environmental Protection Agency

**Mark Joyce**  
Office of Federal Advisory Committee  
Management and Outreach  
U.S. Environmental Protection Agency

**Stephanie McCoy**  
Office of Federal Advisory Committee  
Management and Outreach  
U.S. Environmental Protection Agency

**Debbie Lake**  
Office of Federal Advisory Committee  
Management and Outreach  
U.S. Environmental Protection Agency

**Rick Picardi**  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency

**Other**

**Dolores Wesson**  
Director of Programs  
CEC Secretariat

**Irasema Coronado, Ph.D.**  
Joint Public Advisory Committee Chair  
University of Texas at El Paso

**Jane Nishida**  
Senior Environmental Institutions Specialist  
The World Bank

**Neilleima Santana**

**Contractor Staff**

**Audrey R. Glynn, Ph.D.**  
The Scientific Consulting Group, Inc.

**Jennifer G. Lee, Ph.D.**  
The Scientific Consulting Group, Inc.

## Appendix B: Meeting Agenda



### Official Meeting of the National and Governmental Advisory Committees to the U.S. Representative to the Commission for Environmental Cooperation

**April 14–15, 2011**  
**The Capital Hilton**  
**1001 16th Street, NW**  
**Washington, DC 20036**  
**Tel: 202-393-1000 fax: 202-639-5784**

## AGENDA

*~ Conference Room: South American A & B ~*

### **Thursday, April 14, 2011**

- |          |   |
|----------|---|
| 8:30 am  | <b>Registration</b>   |
| 9:00 am  | <b>Call to Order and Introductions</b><br>Oscar Carrillo, Designated Federal Officer, EPA   |
| 9:05 am  | <b>Welcome and Overview of Agenda</b><br>Karen Chapman, Chair of the National Advisory Committee<br>Jeff Wennberg, Chair of the Governmental Advisory Committee |
| 9:15 am  | <b>Opening Remarks</b><br>Cynthia Jones-Jackson, Director, Office of Federal Advisory Committee<br>Management & Outreach, (OFACMO) EPA                          |
| 9:25 am  | <b>Update on U.S. Priorities and Guidance</b><br>Michelle DePass, Assistant Administrator, Office of International & Tribal Affairs,<br>(OITA), EPA             |
| 9:45 am  | Question & Answer Period  |
| 10:05 am | <b>U.S. Overview Perspective on CEC Operational Plan</b><br>Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA                                 |
| 10:20 am | Question & Answer Period  |
| 10:30 am | <b>BREAK</b>  |

**Thursday, April 14, 2011** Continued...

- 10:45 am     **U.S. Perspective on CEC Operational Plan Continued: Focused discussion on Specific Projects**  
Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA
- 11:00        Question & Answer Period
- 11:30 am     **Summary & Next Steps**  
NAC/GAC Chairs
- 12:00 pm     **LUNCH**

**OPERATIONAL PLAN FOCUS:**

- 1:30 pm       **Operational Plan Historical Background & Overview**  
Dolores Wesson, Director of Programs, CEC Secretariat
- 2:00 pm       Question & Answer Period
- 2:15 pm       **U.S. Perspective on Council Session**  
Sylvia Correa, Senior Advisor for North American Affairs, OITA, EPA
- 2:30 pm       Question & Answer Period
- 2:45pm        **JPAC Report-out**  
Irasema Coronado, Chair, Joint Public Advisory Committee
- 3:00 pm       **BREAK**
- 3:30 pm       **Public Comments Period**
- 3:45 pm       **Summary & Next Steps Discussion**  
NAC/GAC Chairs
- 5:00 pm       **ADJOURN**

## **Friday April 15, 2011**

### **BUSINESS MEETING:**

- 8:30 am      **Committees Meet Jointly**
- Approval and signing of November 2010 meeting minutes
  - Discussion of October 20–21 meeting in Austin, TX
- 9:00 am      **Committees Meet in Separate Sessions**  
*GAC stays in “South American A & B” Conference Room*  
*NAC meets in “California” Conference Room*
- 12:00 pm     **LUNCH**
- 1:00 pm      **Committees Reconvene in Plenary Session**  
Report-outs from NAC/GAC Chairs
- 1:30 pm      **Public Comment Period**
- 2:00 pm      **ADJOURN**

## Appendix C: Charge Questions for April 2011 NAC/GAC Meeting

### CHARGE QUESTIONS NAC/GAC MEETING ~ April 14–15, 2011 WASHINGTON, D.C. 3/21/11

Dear NAC & GAC Members,

During the 2010 annual CEC Council Session in Guanajuato, Mexico, the ministers emphasized that the new CEC Strategic Plan for 2010–2015 is the next milestone in delivering their collective commitment to *renew, revitalize, and refocus the CEC...and provide clear objectives for results-focused collaboration* between the three countries on trilateral environmental priorities.

The three priorities outlined in the new strategic plan are: 1) *Healthy Communities & Ecosystems*; 2) *Climate Change-Low Carbon Economy*; and 3) *Greening the Economy in North America*. On the first priority, the CEC will focus on improving the environmental health of children and other vulnerable communities. The second priority focuses on improving the comparability of greenhouse gas emissions data gathering, methodologies, and inventories and building stronger networks of experts and systems to share climate change information. On the third priority, the CEC will work with partners in the private sector to improve the environmental performance of small- and medium-sized enterprises in areas such as state-of-the-art green building design and the movement of used electronics and other e-wastes within our borders and beyond.

The EPA Administrator would like advice from NAC & GAC on the following topics:

- 1) The new CEC Operational Plan 2011: This is the first Operational Plan incorporating the three priorities outlined in the new CEC Strategic Plan.
  - a. Comment on the substance and format of the Operational Plan.
  - b. Are the projects aligned with the three Council priorities?
  - c. Is the format user-friendly?
  - d. Any other observations you have on the new plan?
- 2) Follow-up on meeting discussion: During the April meeting you will have a dialogue with EPA officials on the advice you provided in your December advice letter.
  - a. Is there any advice you would like to provide based on your discussions; any new insights gained that would further your advice?