



Good Neighbor Environmental Board (GNEB) Teleconference
Call-in number: 1-202-991-0477; conference code: 7706890#
December 19, 2018; 12:00 p.m. – 4:00 p.m. EST

MEETING SUMMARY

Welcome, Introductions and Overview of Agenda

Ann-Marie Gantner, GNEB Designated Federal Officer, Federal Advisory Committee Management Division (FACMD), Office of Administration and Resources Management (OARM), U.S. Environmental Protection Agency (EPA); Monisha Harris, Director, FACMD, OARM, EPA; and Paul Ganster, Chair, GNEB

Ms. Ann-Marie Gantner welcomed the participants and conducted the roll call. A list of meeting participants is included as Appendix A. Ms. Gantner thanked the GNEB members for their patience during the long membership process and for attending the teleconference.

Ms. Monisha Harris welcomed the GNEB members and thanked them for volunteering their time, knowledge and expertise to the Board. Ms. Harris' background is in pesticide programs and program and information management. She is the Director of FACMD within OARM, which directly supports the GNEB and three other Federal Advisory Committee Act (FACA) committees that provide advice and recommendations to the EPA Administrator, Congress and President of the United States. The office provides overall management of EPA's 22 FACA committees. GNEB is unique in many ways, including the fact that it is EPA's only FACA committee that reports directly to the President and focuses solely on the U.S.-Mexico border. GNEB's membership represents a broad variety of sectors.

Ms. Harris and Ms. Gantner recently met at the White House with the Council for Environmental Quality (CEQ), which reiterated its charge to improve the current regulatory and permitting processes to promote the development of new energy infrastructure in the U.S.-Mexico border region while assuring environmental protection. CEQ is looking forward to receiving the Board's upcoming advisory letter.

Dr. Paul Ganster, GNEB Chair, explained that although the Board normally submits an annual report to the President and Congress in fulfilling its statutory requirement, because of the truncated timeframe now available GNEB would be submitting an advisory letter. The Board's 2019 report will focus on the same topic as the advisory letter. The Board, with its diverse membership, operates on a consensus basis, and federal agency representatives generally recuse themselves from signing the report. GNEB has EPA management and contract editorial support, but GNEB members are responsible for writing the initial draft of each report. The goal is to hold two face-to-face meetings in 2019 in border communities; these meetings will focus on a substantive discussion of the selected topic of the report. Teleconferences also will be scheduled throughout the year.

Dr. Ganster provided an overview of the agenda (Appendix B), explaining that he would seek general comments about the advisory letter before soliciting comments about specific sections. Although a government shutdown may occur and work on the letter would need to stop, CEQ would understand the circumstances of why GNEB was unable to meet its statutory requirement in this case.

At Dr. Ganster's request, Ms. Gantner led the Board self-introductions.

The official certification of the minutes by the Chair is included as Appendix C.

Public Comments

Ms. Gantner called for public comments. No oral or written comments were offered.

Review of Current Draft and Approval

Dr. Ganster explained that GNEB met with CEQ during the spring of 2018 and developed the current topic for the advisory letter, which is of interest to CEQ and broad enough for the Board to provide conclusions and recommendations. Several individuals contributed pieces to the letter, which explains the inconsistencies in continuity and tone; this will be addressed during the editing process, and the final letter will be a cohesive document. This letter, as all GNEB reports do, provides a socioeconomic context for the U.S.-Mexico border region that explains the unique challenges of the area.

Important issues that GNEB will need to follow during the research and writing of the upcoming report include the recent signing of the United States-Mexico-Canada Agreement (USMCA), which will replace the North American Free Trade Agreement if it is legislatively approved by the three countries during the first half of 2019, and the unfolding governmental policies and actions within the energy sector in Mexico under that country's new administration. The Board must identify challenges and opportunities within the border region related to energy.

The overall tone of the advisory letter should explain the topic and indicate areas that GNEB will be exploring in the full report, which will include specific conclusions and recommendations. The current timeline does not allow the Board to perform the necessary research to include conclusions and recommendations in the advisory letter. Dr. Ganster asked the members for their comments about the tone of the letter.

Ms. Catherine Jereza agreed with the proposed tone given the timeframe, noting that the letter should remain simple and provide information about the scope of the Board's work during the next year. She did not believe that the current letter accomplishes this as currently written.

Mr. Rob Roy also agreed to frame the letter as proposed. He is concerned that the current draft lacks a focus on environmental concerns and issues and instead focuses on the business aspects of developing renewable energy. He would like the Board to focus on environmental issues. Dr. Ganster agreed that environmental concerns are mentioned in the letter, but supporting text is needed to emphasize this area.

Mr. Mario Lopez agreed with the outlined approach and expressed his concerns with Section 6 of the letter. Mexico's goal is energy independence, which will have positive and negative effects. Mexico's Department of Energy recently received a 1,000 percent increase in its budget; funding for environmental programs is being reduced significantly. Currently, it is unclear whether the previous administration's push for clean energy will be continued. Mr. Lawrence Lucero agreed that the newly available information about Mexico's budget and any federal appointments should be included in the letter.

Ms. Jereza expressed the concern about the time available to research and confirm official budget numbers before the letter is due to the President and Congress. Dr. Ganster commented that the letter could discuss the climate of change and uncertainty in Mexico's policies. Mr. Stephen Niemeyer agreed with Ms. Jereza's concerns. Mr. Lucero noted that the current draft of the letter provides a high-level overview, with room for more general examples about the new administration's goals to provide context. Ms. Gantner added that CEQ is aware and attuned to Mexico's proposed budget, policies and goals regarding energy; she agreed that specific details of this nature should be withheld from the letter and instead included in the upcoming report. GNEB can allude to the issue in the letter without providing specific details at this point.

Dr. Julie Smith explained that the U.S. Department of Energy (DOE) is being sued regarding a cross-border interconnection Presidential permit to bring wind energy into southern California. Not all entities support renewable energy outright because of the costs (e.g., visual impacts) associated with particular technologies (e.g., wind power generation). DOE is sensitive to these and many other types of energy issues on the international border and would like to ensure that the report maintains appropriate balance of views, particularly given the Board's role in advising the President and Congress. Ms. Gantner stressed that GNEB members should notify her and Dr. Ganster regarding any potential conflicts of interest, as they need to be aware of any sensitive issues. She recommended that such issues be removed from the letter and included in the report.

Mr. Soll Sussman asked about the timeline for the next report in light of the fact that Mexico's energy policies will be evolving throughout the year. Ms. Gantner explained that the plan is to begin work on the report in March 2019. The plan is for CEQ to respond to the advisory letter by February 2019. GNEB will work on the report until September 2019, when it will be necessary for the Board to finalize the draft to enter the editing and publishing process, which takes approximately 2 months.

Dr. Alan Sweedler agreed with Ms. Jereza's concerns that it is premature to provide specific budget details in the letter, particularly because the border effects will not be known. The letter can advise the reader that changes are taking place and that the report will focus on any potential effects on the border region once there is time for the Board to perform such an analysis. Mr. Lucero agreed.

Dr. Margaret Wilder thought that some key issues that the report will subsequently address are missing from the letter. The socioeconomic issues briefly mentioned in the letter should be more strongly linked to the border energy discussion (e.g., household energy deficit, energy poverty, informal colonias that are off the grid or have unsafe energy use). Additionally, the letter also should mention green infrastructure, more strongly emphasize environmental issues, and refer to the water-energy-food-climate nexus across the whole infrastructure in the border region. Dr. Jeffrey Payne agreed, noting that previous GNEB reports would be germane regarding ecosystem impacts as the report begins to evolve. Also relevant is the recently released *Fourth National Climate Assessment*—particularly the chapter on energy supply, delivery and demand—which provides a wealth of information on the changing climate and its effects on the United States. The assessment also includes regional chapters, including one devoted to the southwestern United States.

Dr. Kimberly Collins agreed that the energy issues in the letter need to be more strongly linked to environmental issues, including air quality and water quantity and quality in the border region. Other potential areas of exploration are improving the quality of life for border residents and an acknowledgment that energy generation also is going to change the transportation sector in the border region, which will affect the overall economy and livability in the border region.

Mr. Bryan Early thought that if the letter is intended to be a general summary to the President regarding opportunities and issues within the energy sector of the border region, a brief and cursory discussion of energy efficiency should be included.

Dr. Patricia Juárez-Carrillo would like the letter to mention the National Environmental Policy Act (NEPA), as well as environmental justice issues.

Mr. Erik Lee stated that is important for those reading the letter, who are not familiar with the border region, to understand the extent of the poverty that exists in the region and the effects that expansion and changes in the energy sector will have on border communities. He thought that the content of the current draft is excellent, but some areas may include slightly too much detail given the scope of the letter.

Ms. Emily Pimentel thought that the letter would be easier to read if the Board's points and outline of its plan for the 2019 report were captured in bullet form.

After the Board members provided their general comments about the letter, Dr. Ganster led section-by-section discussion of the letter and asked for specific, substantive comments from the members. The contractor will provide editorial review, so editorial comments from the GNEB members is not necessary.

Introduction

The Board members agreed to the following changes to the introductory section, which Dr. Ganster will implement:

- Remove “on December 1, 2018.”
- Include “and associated environmental interests” after the phrase “highlights opportunities and barriers for energy investment and trade.”

Section 1: Summary

The Board members agreed to the following changes in this section, which Dr. Ganster will implement:

- Replace instances of “likely” with other terms—such as “probable,” “expected” or “is expected to”—as appropriate.
- Replace “over the next years and decades” with “in the future.”
- Remove the term “watergy.”
- Remove the phrase “trilateral economic agreement.”
- Include the terms “dynamic” and “changing” in the current final sentence of the section.

Ms. Jessica Helgesen will develop a more decisive closing sentence for this section. Dr. Wilder recommended identifying and highlighting key challenges and opportunities to close the section.

Section 2: The Border Context

The GNEB members agreed to the following changes in this section, which Dr. Ganster will implement unless otherwise noted:

- Include more nuance to the sentence, “The border region is where poverty and ethnicity coincide.” (Dr. Wilder will develop suggested language.)
- Consider including the percentages of San Diego and Pima counties (32 and 52 percent, respectively) to the sentence, “In 2015, 82 percent of the population of the border counties, excluding San Diego and Pima counties, was Hispanic.” with the caveat that the sources of any specific percentages should be cited.
- Consider adding the phrase “compared to 87 percent for the United States as a whole” at the end of the sentence, “In some cases, the differences are staggering: for example, only 69.1 percent of residents of these counties over age 25 are high school graduates.” with the caveat that the sources of any specific percentages should be cited (i.e., one source indicates that 84 percent of residents of the United States over the age of 25 are high school graduates).

- Add more positive language about how to bring growth to the border region rather than solely focusing on the negative while not losing the nuance that environmental justice communities face additional challenges. (Drs. Collins and Wilder will develop language.)
- Clarify that the “Secretary of State” refers to the “Texas Secretary of State.”
- Change the sentence that reads, “Protecting the quality of rivers, oceans, and other water is important for ecological and human health in the region.” to “Protecting the quantity and quality of water resources is important for ecological, human and economic health in the region.”
- Add additional language to the sentence that begins, “A number of national parks...” that compliments the cross-border work and protection of the Tijuana River National Estuarine Research Reserve, which has been highlighted in the past three reports. (Dr. Payne will send this language.)
- Introduce a marker regarding climate and the *Fourth Natural Climate Assessment* into the paragraph that begins with “The natural environment and climate...” that is sensitive to the current political ideology. (Dr. Payne will send this language.)

Regarding the statement that water is a limited resource, Ms. Tiffany Goolsby noted that it is important to recognize that different types of energy production use different amounts of water. This will be a vital point to emphasize in the full report. For example, when examining the economic benefits of a project, her region considers potential water use to ensure long-term economic and environmental viability.

Section 3: U.S. Border Energy and the Mexico/Mexico Border Energy Contexts

The GNEB members agreed to the following changes in this section, which Dr. Ganster will implement as appropriate:

- Consider including the specific amount of energy produced to provide the reader perspective regarding the statements that Texas is a renewable energy powerhouse (e.g., 22,637 megawatts) and that Arizona’s Palo Verde Nuclear Generating Station is the largest producer of electricity in the United States (e.g., 3.3 gigawatts).
- Consider adding “and policies” after the statement that “California has for some time been in the forefront of adoption of renewable energy standards.”

Section 4: California-Baja California Energy Issues

Mr. Lopez noted that although large-scale wind and solar projects may decouple Baja California’s power grid from that of California and result in the greater use of natural gas, these projects also may provide benefit to California. He will send Dr. Ganster language regarding this point. Multiple GNEB members pointed out that other states also could exchange wind and solar power with Mexico.

The GNEB members discussed Mexico’s renewables standard for electricity and thought that “clean energy” was a more accurate term. It is necessary to ensure that the Mexico national standard is accurate and consistent throughout the letter; Mexico has a national standard, whereas the United States does not.

Section 5: USMCA and Energy Trade and Investment

Since the letter was drafted, the USMCA has been signed by the executive branch of each of the three governments but has not been approved by the legislative branch; changes to the agreement still could be forthcoming. Mr. Niemeyer and Mr. Lucero thought that the current information about the USMCA

contained in the letter should be removed because this information is too detailed for the scope of the letter and because of the uncertainty surrounding legislative approval of the USMCA. Dr. Collins agreed that the implications of the USMCA regarding energy issues in the border area should be a focus area for the full report. The GNEB members agreed that this section would be condensed, and a more in-depth treatment will be included in the Board's next report.

In response to a question from Dr. Sweedler, a Board member explained that North American Strategy for Competitiveness, Inc. is a well-known transportation and logistic nonprofit organization; because this section is being condensed, the reference to this group would be removed.

Section 6: The New Mexican Administration of López Obrador and Evolving Mexican Energy Policy

Based on the comments offered during the general discussion, Dr. Ganster summarized that this section would be condensed and revised to be more sensitive to the fact that change is expected but that GNEB is unsure of the exact nature and effects of this change. This priority topic will be explored in more depth in the full report.

The sentence regarding postponing the retirement of aging fossil fuel plants may be premature to explore in the advisory letter but could be a topic for exploration in the upcoming Board report.

The GNEB members agreed to the following changes in this section, which Dr. Ganster will implement as appropriate:

- Delete the sentence that reads, “However, the capital investment is lacking for the vast domestic infrastructure.”
- Delete the bullets beginning with “Baja California to Sinaloa” and “A planned transmission inter-connection.”
- Change the sentence that begins with “Modernizing hydro project capacity and building new hydro...” to “Modernizing existing hydropower capacity and building new dams...”

Section 7: Challenges and Opportunities for Border Energy Development and Trade

Dr. Sweedler questioned the amount of US\$90 million for an energy investment. Ms. Michelle Freeark will check the source for this amount, although the figure may be deleted in the final letter.

Section 8: Recommendations

The GNEB members agreed that the Board would not make any recommendations at this point; conclusions and recommendations will be included in the Board's full report.

Additional Considerations

The GNEB members developed a list of areas on which the full report could focus:

- Side agreements from the USMCA, including the status of the existing structure (e.g., International Boundary and Water Commission, North American Development Bank) and financial opportunities moving forward.
- The water-energy nexus in the border region, including water as an element of energy development.

- The various subregional opportunities and challenges along the border resulting from geographical factors and the different energy structure of U.S. border states.
- Regional energy demand and use (i.e., how energy is being used in the border region, potentially broken out by energy and transportation).
- The financing of conservation and energy efficiency initiatives in the border region and the importance of conservation and energy efficiency initiatives on both sides of the border.
- The significance of energy poverty (e.g., lack of access, disproportionate costs).
- Energy development and border environmental quality (e.g., environmental impacts of energy development, how these impacts are handled through the NEPA process, how the process can be improved).
- Regulatory schemes and processes for energy in the border region, potentially including environmental review.
- Exploration of what organizations exist that can help to facilitate border facility discussions, including better coordinating energy regulatory process and information flows in an institutional framework.
- Cross-border opportunities and barriers to energy development.
- Energy connections and infrastructure, including electricity and gas transmission, in the border region.
- The evolution of Mexico's energy policy and regulations.
- Linkages between energy and the transportation sector and implications for border residents as the transportation sector changes because of new technologies, including the efficiency of the infrastructure at ports of entry.

Feedback from CEQ will help to define which of these issues GNEB will focus on during 2019. Dr. Sweedler commented that although this seems like a long and broad list, these topics all are interconnected and can be grouped within larger headings.

Next Steps and Schedule

In response to a question from Ms. Jereza, Ms. Gantner explained that the contractor has captured all of the comments discussed during the call that represent the consensus of the Board. Given that a quorum of GNEB is present on the teleconference, the Board is able to approve the letter with the discussed changes. Dr. Ganster will work with the contractor to incorporate all of the revisions to the document by December 27, 2019. After the revisions have been incorporated, Dr. Ganster will review the revised document and sign it. In response to Ms. Jereza's concerns about finalizing a letter before the end of the calendar year, Ms. Gantner restated that GNEB has a statutory requirement to finalize and submit the letter to the President and Congress by the end of the calendar year, so the deadline is nonnegotiable. She has discussed the timeline with the Chair and the contractor, and everyone has agreed that it is possible to meet the deadline. GNEB has engaged in much more contentious discussions than this one and has always met its deadlines, some of them very tight, throughout its entire history. Federal agencies generally recuse themselves from advising the President, so Ms. Jereza could recuse herself from approving the letter and engage in the report preparation.

Dr. Teresa Pohlman reiterated Ms. Gantner's points that GNEB has a nonnegotiable statutory requirement to the President and Congress, the Board has met much tighter deadlines in the past, and Ms. Jereza can recuse herself from voting on approval of the letter. Based on Dr. Pohlman's past experience, the letter will be well-done given the aptitude that Dr. Ganster and the contractor have for refining reports and letters based on the Board's comments. The letter merely is an overview of the forthcoming report and may not seem complete to all GNEB members. Furthermore, the report itself may not seem complete to all members either, but sometimes it is necessary to accept the "80% solution" and realize that the finished product is the best possible one given the diverse and loose nature of the Board. Ms. Gantner thanked Dr. Pohlman for her insights and noted that not every GNEB member will get every point that he or she wants into advisory letters and reports; the diverse nature of the perspectives, agencies and ideas do not allow for this. It is unrealistic to expect that every idea from four states, nine federal agencies and myriad sectors will be included in every report, and compromise will be inevitable. This is a process, and the process works. Dr. Ganster knows the border region and has served on GNEB for many years, so he knows how to listen and incorporate consensus ideas into Board products. CEQ and Presidents have been satisfied with the Board's recommendations in the past.

Ms. Gantner will be holding the required FACA orientation in early 2019. Several 1-hour sessions will be scheduled to accommodate the members' schedules. Board teleconferences will be scheduled based on the results of Doodle polls. The goal is to hold the face-to-face meeting during the beginning of March 2019, possibly in San Diego, California. The meeting will be approximately 1.5 days in length and will include discussions about the Board's report, as well as field trips within the border region.

Adjournment

Dr. Ganster thanked the GNEB members for their thoughtful input and discussion. Dr. Sweedler thanked Dr. Ganster for his efforts in finalizing the advisory letter within the tight timeframe.

The meeting was adjourned at 3:52 p.m. EST.

Action Items

- The following GNEB members will send additional language to Dr. Ganster as described in the summary above: Ms. Helgesen, Dr. Wilder, Dr. Collins, Dr. Payne and Mr. Lopez.
- Ms. Freeark will check the source for the US\$90 million figure cited in Section 7 of the advisory letter.
- GNEB members will send any additional text/revisions via email to Dr. Ganster and Ms. Gantner as soon as possible but no later than Friday, December 21, 2019.
- Dr. Ganster will make the substantive changes discussed during the call, as well as those sent via email, and provide the revised document to the contractor as soon as possible.
- The contractor will edit the revised document and send it via email to Dr. Ganster no later than Thursday, December 27, 2018.

Appendix A: Meeting Participants

Chair

Paul Ganster, Ph.D.

Director
Institute for Regional Studies of the Californias
San Diego State University
San Diego, CA

Nonfederal, State, Local and Tribal Members

Cornelius Antone

Manager
Environmental Protection Office
Tohono O'odham Nation
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Kimberly Collins, Ph.D.

Executive Director, Barbara and William
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Leonard Drago

Ombudsman/Tribal Liaison
Director's Office
Arizona Department of Environmental Quality
Phoenix, AZ

Bryan Early

Special Advisor to Commissioner McAllister
and Advisor to Chair Weisenmiller on Mexico
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Appendix B: Teleconference Agenda



Good Neighbor Environmental Board

Public Teleconference
Discussion and Approval of the
Draft Report on Energy Transmission in the U.S.-Mexico Border Region

December 19, 2018
12:00 p.m. – 4:00 p.m. EST


Call-In Number: 1-202-991-0477 Conference Code: 7706890#

AGENDA

- 12:00–12:45 p.m. Welcome, Introductions and Overview of Agenda
- Ann-Marie Gantner, Designated Federal Officer
 - Monisha Harris, Director, Federal Advisory Committee Management Division
 - Paul Ganster, Chair, Good Neighbor Environmental Board
 - Board introductions
- 12:45–1:00 p.m. Public Comments
- 1:00–3:30 p.m. Review of Current Draft
- Overarching concerns or questions
- 3:30–4:00 p.m. Next Steps and Schedule
- 4:00 p.m. Adjournment

Appendix C: Chair Certification of Minutes

I, Paul Ganster, Chair of the Good Neighbor Environmental Board (GNEB), certify that this is the final version of the complete minutes for the teleconference held on December 19, 2018, and that the minutes accurately reflect the discussions and decisions of the meeting.



Paul Ganster, GNEB Chair

March 16, 2019

Date

Gantner, Ann-Marie

To: Paul Ganster
Subject: RE: December 19, 2018 minutes

On Sat, Mar 16, 2019 at 7:37 AM Paul Ganster <pganster@sdsu.edu> wrote:

Dear Ms. Gantner,
I approve the minutes for the GNEB meeting of December 19, 2018.
Best wishes,
Paul Ganster
GNEB Chair

Sent from my iPhone

--
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