

Response to Comments: US-Mexico Border 2020 Program September 2012



Environment

Natural Resources

Environmental Health

BACKGROUND

Prior to the development of the Border 2012 program, EPA and SEMARNAT held working meetings with program partners to define the scope of the new bi-national agreement that would build on Border 2012, and its structure. An Advisory Committee representing the U.S. and Mexican Border States, U.S. Tribes, EPA and SEMARNAT, was developed to help shape the new bi-national program. The Advisory Committee was responsible for providing guidance on the key elements of the new program, and circulated draft documents for additional comments and input.

On September 19, the Environmental Protection Agency (EPA) and the Secretariat for Environment and Natural Resources (SEMARNAT) released a draft of the new environmental program for the U.S.-Mexico border region: Border 2020, and opened a public comment period through November 30, 2011. The draft document was shared with the public during 18 public meetings held along the border. A special session under the EPA Tribal Consultation Policy, hosted by the Campo Tribe, was held for Border Tribes on November 15. Two webinars were held on November 9 and 10 to complete the community/public involvement efforts for the Border 2020 Program.

Cities in which Border 2020 Public Meetings Were Held:

<i>San Diego, California</i>	<i>Nuevo Laredo, Nuevo Leon</i>
<i>Tijuana, Baja California</i>	<i>El Paso, Texas</i>
<i>Campo, California</i>	<i>Laredo, Texas</i>
<i>Calexico, California</i>	<i>Harlingen, Texas</i>
<i>Mexicali, Baja California</i>	<i>Eagle Pass, Texas</i>
<i>Nogales, Sonora</i>	<i>Las Cruces, New Mexico</i>
<i>Nogales, Arizona</i>	<i>Weslaco, Texas</i>
<i>Tribal Session/Campo Reservation</i>	<i>Piedras Negras, Coahuila</i>
<i>Ciudad Juarez, Chihuahua</i>	<i>Rio Bravo, Tamaulipas</i>

The draft Border 2020 document was also posted on EPA's border website and the public was encouraged to send hard copies or e-mail comments to EPA and SEMARNAT.

In total, 267 individual comments were received and are captured in this Response to Comments Report.

The comments received from this effort supported the continuation of the bottom-up structure, the six main goal areas, the inclusion of overarching fundamental strategies, and more ambitious environmental and public health goals.

SUMMARY OF THE BORDER 2020: U.S.-MEXICO ENVIRONMENTAL PROGRAM

The U.S.-Mexico Environmental Program: Border 2020 is an eight year (2013-2020) bi-national effort designed “to protect the environment and public health in the U.S. Mexico Border region, consistent with the “principles of sustainable development”¹. Border 2020 is the latest cooperative initiative implemented under the 1983 La Paz Agreement. It builds on previous bi-national efforts, particularly Border 2012, which emphasized a regional bottom-up approach as basis to decision making, priority setting, and project implementation to address the environmental and public health problems in the border region. In addition to adopting and incorporating this approach in its framework, Border 2020 has established five fundamental strategies that set expectations on how Program partners will work along the border and achieve results.

Border 2020 has identified six long-term strategic goals to address environmental and environmentally-related public health challenges in the border region. With-in the six goals are specific objectives that identify priority areas and activities that program partners will undertake for the duration of the Border 2020 Program. The goals and objectives were carefully written based on extensive input from program partners, border stakeholders, and ongoing environmental challenges that remain. Biennial Action plans will outline priorities and implementation strategies to accomplish the various goals and objectives, based on available resources, emerging issues, and regional, and/or community priorities. The Border 2020 strategic goals are:

Goal #1: Reduce Air Pollution

Goal #2: Improve Access to Clean and Safe Water

Goal #3: Promote Materials and Waste Management and Clean Sites

Goal #4: Improve Environmental and Public Health through Chemical Safety (*This Goal has been reworded and actions have been moved to the Fundamental Strategies Section under new Fundamental Strategy number 5; “Promoting Environmental Health”*)

Goal #5: Enhance Joint Preparedness for Environmental Response

Goal #6: Enhance Compliance Assurance and Environmental Stewardship

Border 2020 aims to improve environmental conditions in underserved communities and sensitive populations through six goals and associated objectives. Border 2020 also aims to provide stakeholders timely access to environmental data. Finally, Border 2020 will continue to promote training and capacity building that focuses on environmental and programmatic sustainability with in border communities.

Goal 1: REDUCE AIR POLLUTION

Economic and population growth in the U.S.-Mexico border region has had a significant impact on urban and rural air quality. Today, air pollution presents a substantial environmental risk in some border communities that are frequently exposed to elevated concentrations of particulate emissions (PM10 and PM2.5), ozone, and toxic air pollutants. Emissions from energy generation; industrial sources; unpaved roads; and diesel trucks, buses and automobiles, including those idling for long periods of time at ports-of-entry, are significant contributors to poor air quality along the border.

The border region includes a number of cities that share common air sheds; thus, activities in one city can directly affect the other, whether in the same country or across the border. As such, strategies and solutions to address air pollution along the border need to be developed and implemented bi nationally, with active engagement from the community, as well as local, state, federal, and Tribal authorities.

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COMMENTS/RECOMMENDATIONS AND RESPONSES

- The Goal should be renamed, “Reduce Criteria Air Pollutants and Improve Energy Efficiency”.
 - RESPONSE: The title of this goal has been changed to be inclusive of all air pollutants. Specific pollutants will be addressed within the objectives.

- Title of the Goal should remain as Air Pollutants so that it is open to all goals; this would not leave out the VOCs, which are mentioned later, but are not listed in Goal 1.
 - RESPONSE: Specific pollutants will be addressed within the objectives.

- Title of Goal should read: REDUCE AIR POLLUTANTS (CONVENTIONAL, VOC, AND GHG EMISSIONS).
 - RESPONSE: The title of this goal has been changed to be inclusive of all air pollutants. Specific pollutants will be addressed within the objectives.

- Each of the six GHGs and the VOCs need to be included in Goal 1, so that CO₂, NO_x, etc. are included in this plan. VOCs are already outlawed by international agreements; however, continual emphasis is necessary.
 - RESPONSE: Specific pollutants will be addressed within the objectives.

- Objective 1 should be: “By 2020, reduce the number of vehicles operating in the border region that do not comply with the respective vehicle emissions standards; make vehicle regulations comparable in both countries; improve enforcement of vehicle regulations; and reduce vehicle emission at ports-of-entry, through anti-idling and other feasible reduction measures”.
 - RESPONSE: Goal 1 is about reducing air pollution; not limiting “trade”. The goal should be to raise the standards expected of all vehicles and enforce those standards. Mexican States are moving to strengthening vehicle emission standards, and that should be the focus – not limiting “trade”. People have a right to “trade” a car that needs to be rebuilt or tuned-up. They may not have a right to drive a vehicle that does not meet applicable standards.

- It is critical to GSA as the land holding agency for the US Government that our tenant agency, Customs and Border Protection (CBP), meet its operational mission at the US Land Ports of Entry (LPOE's). CBP's mission to secure and protect the nation's borders must be preserved. Given this it is essential that the processing/inspection times be determined by CBP. As we understand it, EPA and GSA have similar goals. The target is to decrease idling time for both privately owned vehicles (POVs) and commercial trucks, therefore reducing air pollution along the International US-Mexico border region. In GSA's effort to meet this goal, we request to participate in the Regional Workgroup and Task Force efforts regarding the activities in California and Arizona. We have the knowledge base, technical expertise and working relations with our tenant agencies at the LPOE's that may benefit this team.
 - RESPONSE: Involvement of U.S. GSA, U.S. CBP, their Mexican counterparts, and other agencies are critical in the exploration of potential mechanisms, and implementation of identified mechanisms for reducing idling at the POEs. Mr. Othman Kadri will be invited to participate in these meetings and forums, in addition to the GSA and CBP officials currently participating.

- Consider amending Goal 1 objectives (Reduce Criteria Air Pollutants and GHG Emissions) with the underlined language. Objective 1: By 2020, reduce the number of vehicles operating in the border region that do not comply with the respective vehicle emissions standards; reduce emissions resulting from municipal traffic idling....

- RESPONSE: The Border 2020 Program will encourage local participation to reduce emissions from municipal traffic idling and other related strategies.
- For Objective #1 – what if the Border 2020 Program doesn’t have emissions standards?
 - RESPONSE: The goal of the objective is that the vehicles comply with applicable emission standard for each location. The standards will be variable according to air quality conditions. EPA and SEMARNAT will be discussing this issue. The level of requirements in U.S. regulations depends on whether an area meets the National Ambient Air Quality Standards. Areas that do not may need to require vehicle emissions tests, but those that do meet the relevant standards would not. Therefore, vehicles from those “attainment” areas would have no certification related to vehicle emissions, and would still be in compliance with U.S. and State regulations (unless a State has more stringent regulations).
- The “co-benefits strategies to reduce vehicle emissions” should focus on criteria pollutants only.
 - RESPONSE: This goal is inclusive of all air pollutants.
- Compliance with respective vehicle emissions is not a strategy. Perhaps the objective intended to say “increase enforcement of vehicles emissions standards”; it is also recommended that the following statement is added:- “limiting the exports-imports of used vehicles” and needs to be defined very carefully, or it could violate provisions of the North American Free Trade Agreement.
 - RESPONSE: Change has been made to reflect establishment and compliance with standards as appropriate.
- There is a need to provide new/improved public transit alternatives/possibilities together with roadways that will allow for an efficient, quick, and environmentally-friendly public transit, aimed at reducing dependence on personal vehicles as a means of transportation and subsequently implement stricter pollutant emission and junk vehicle import regulations; and to promote alternative means of transportation such as bicycles or motorcycles.
 - RESPONSE: These activities may be supported at the local workgroup or task force level as appropriate.
- Suggested adding new sentence: “When there are no vehicle emission standards, each country will start the process of development of these standards, including monitoring and compliance measures.”

- RESPONSE: Change has been made to reflect establishment and compliance with standards as appropriate.
- The program objectives should also consider the importance of reducing industrial pollutants, specifically, lead. Given the differences in air quality standards, regarding lead, there is an incentive to send used lead acid batteries to Mexico for recycling, which causes higher emissions than when the batteries are recycled in the U.S.
 - RESPONSE: This goal is clarified to reflect inclusion of all pollutants which may include lead.
- Priorities for the county (Ojinaga) are: need of road paving and reforestation of our urban areas.
 - RESPONSE: Road paving can reduce the emissions of particulate matter. Road paving decisions are ultimately made at the state and local level.
 - RESPONSE: Reforestation can be helpful in mitigating green house gas emissions; Border 2020 may look for opportunities to partner with relevant stakeholders to pursue this strategy. However, the financing of any reforestation goes beyond the scope and resources of the Border 2020 program.
- Strengthen collaboration with government agencies, interested parties, and stakeholders from both sides of the border with the purpose of facilitating, and enhancing transit and non-motorized mobility on the border in a safe, faster, positive, comfortable and healthful manner while respecting each country’s practices and regulation.
 - RESPONSE: These activities may be supported at the local workgroup or task force level as appropriate.
- There is no need for field burning. Field burning causes many diseases and young children are prone to get infected. There is a website called IVAN in which people can report anything from a funny smell to illegal dumping. I found a couple of reports referring field burning in Calexico. One of the reports stated that a field was being burned during school hours and children who suffer from asthma had to be kept inside.
 - RESPONSE: Agricultural burning is regulated by the states and local governments. Imperial County is regulated by the State of California and the Imperial County Air Pollution Control District. A permit is needed to burn on agricultural lands. The permittee must meet requirements that minimize human exposure and air pollution impacts, including minimum distances from schools. Agricultural burning in Imperial can also only occur on days where meteorological conditions are expected to quickly disperse smoke up and away from populated areas. For Mexicali, the State of Baja

California's recently released air quality plan has the reduction of agricultural burning as one of its action items.

- One of the greatest threats to the region is Carbon One and Two coal fired electrical plants. Which are among the greatest polluters of carbon dioxide, carbon monoxide, and nitrogen sulfate? I also encourage our two nations to promote the use of clean renewable energy to begin phasing out the border's dependence on fossil fuel.
 - RESPONSE: Border 2020 will support capacity building and training on instituting measures as stated in Objective 5.

- Lead is a key criteria air pollutant: If the goal is to reduce criteria air pollutants, there must be greater parity in standards and enforcement on both sides of the border. In addition, some Mexican battery recycling plants, such as the M3 Resources plant in Reynosa, are close enough to the border for emissions to migrate into the U.S.
 - RESPONSE: This goal is clarified to reflect inclusion of all pollutants which may include lead.

- Objective #1 – By 2020, reduce criteria pollutant emissions towards attainment Shouldn't El Paso/Ciudad Juarez be named Paso del Norte Air Shed?
 - RESPONSE: The Paso del Norte Air Shed (El Paso, Ciudad Juarez and Sunland Park) has been included.

- For the sake of children, elderly, and women who are expecting please address dust control and PM10 enforcement on both sides of the border. Enforcement codes and regulations are not working.
 - RESPONSE: Local, State and Federal agencies in both Countries are required to develop plans and rules to reduce pollution to levels that do not cause health impacts on even sensitive populations like the very young and very old. Local, state and federal agencies continue to work to further reduce emission impacts in border communities.

- Add electric bobtail trucks for transporting produce between warehouses. This would reduce locally generated emissions and reduce fossil fuel use. Add truck electrification units in produce warehouse parking lots to reduce emissions from idling trucks that are waiting loading or off-loading.
 - RESPONSE: Border 2020 encourages border stakeholders to implement these kinds of strategies which help fulfill the program's goal and objectives.

- Please include reductions of air pollution. There is a problem at border crossings, burning of tires, non-paved roads, and contamination by industry, carbon production.
 - RESPONSE: Border 2020 Goal 1 includes work to reduce all criteria pollutants, including those at border crossings (specifically mentioned in Objective 1), open burning, un-paved roads, and industrial plants. Objectives 3 and 4 address climate change action plans and energy conservation, which, if successful will help decrease carbon dioxide generation.

- Advance regional air shed management efforts along the U.S.-Mexico border, borrowing lessons learned from the El Paso-Ciudad Juárez-Doña Ana County Joint Advisory Committee.
 - RESPONSE: Border 2020 will continue to consider advanced regional air shed management efforts where appropriate.

- Trash Burning is an issue in tribal lands.
 - RESPONSE: Border 2020 encourages reducing air pollution from open burning in the border region. State and local agencies have limited authority to control pollution from tribal lands. Tribes are encouraged to participate in regional workgroups and task forces to identify and promote activities that address this issue.

- “reduce criteria pollutant emissions toward attainment” is problematic as it relates to ozone as there are no emissions of ozone. It should be changed to: “reduce emissions related to the criteria pollutants in order to approach attainment....”(Line 554)
 - RESPONSE: This comment has been addressed within the framework document.

- Reverse the order of objectives 1 and 2, so that the objectives flow more logically. First we want to make sure that monitoring and measuring are accurate and maintained, so we know what areas are non attainments, and then we can reduce pollutant emissions in order to approach attainment.
 - RESPONSE: The most important objective is to reduce air pollution. Air monitoring is critical component in which ever order it is stated.

- There are no areas in the Lower Rio Grande Valley that violate any of the National Ambient Air Quality Standards.
 - RESPONSE: This statement has been corrected in the framework document.

- Replace “energy plants” with “electricity generation plants”.
 - RESPONSE: This comment has been addressed in the framework document.

- For Goal 1, include either in some of the objectives or as a new objective all sources of air emissions, both natural and urban (anthropogenic) sources. The Border 2020 project, as proposed, limits itself to addressing vehicle emissions, leaving out other types of pollution emission sources.
 - RESPONSE: Changes have been made to reflect all pollutant emissions.

- For Goal 1, Page 16, line 611: Stop (permitted and non-permitted) burning of agricultural debris in Mexicali Valley and Imperial Valley. Prohibiting this human custom for good, that so sorely affects the health of the community, in addition to causing a synergic negative environmental impact, generating acid rain on flora/fauna, and which strongly contributes to air pollution during the months of May and June, as well as to the Greenhouse effect.
 - RESPONSE: Agricultural burning is regulated by the states and local governments. Imperial County is regulated by the State of California and the Imperial County Air Pollution Control District. A permit is needed to burn on agricultural lands. The permittee must meet requirements that minimize human exposure and air pollution impacts, including minimum distances from schools. Agricultural burning in Imperial can also only occur on days where meteorological conditions are expected to quickly disperse smoke up and away from populated areas. For Mexicali, the State of Baja California’s recently released air quality plan has the reduction of agricultural burning as one of its action items. See comment above concerning agricultural burning.

- For Goal 1, objectives: The part about reducing emission inventories is not clear, no doubt a poor translation. However, the objective seems not very ambitious and far from bold; knowing the impact that vehicular traffic has on air pollution, why not expressly aim for the implementation of mass transit systems on the Mexican side of the border.
 - RESPONSE: Border 2020 air quality task forces can recommend or encourage mass transit systems, where appropriate, the decision to implement such systems lay with the governmental authorities in that jurisdiction.

- Lead is a criteria air pollutant; as part of Goal 1, the need to reduce industrial pollutants and specifically lead – should be stressed.
 - RESPONSE: This goal is clarified to reflect inclusion of all pollutants which may include lead and other industrial pollutants.

- It is highly advisable that the air monitoring network is checked to see if it is working properly and to its capacity, in particular on the Mexican side.
 - RESPONSE: Historically this has been an activity of border 2012 and it is expected to continue with border 2020 as stated in objective 3.

- I was very excited when I read that Disadvantaged & Underserved Communities would be focused on as part of a Fundamental Strategy. However, throughout the document I found language and concepts that are not necessarily in the best interest of Disadvantaged & Underserved Communities, and that are contradictory to other goals in the Program. The first / Objective of the program is to reduce greenhouse gas emissions/impacts through energy efficiency and/or alternative/renewable energy projects. Considering that “Providing safe drinking water and properly treating wastewater takes a substantial amount of energy and is a major cost to utilities (671-673),” large, centralized projects do not exactly make energy/green-house-gas sense. There are other ways of providing people with these natural rights. In an impoverished community with no infrastructure access, large infrastructure projects for drinking water and waste water services means four things: millions of dollars; lots of time; ultimately reaching a finite capacity; and demand for large amounts of energy for operation and maintenance. There are other successful solutions out there that can increase access to basic natural human rights and services for the poor, which can accomplish the US EPA’s goal cost-effectively.
 - RESPONSE: Border 2020 encourages all stakeholders to participate in local task forces to help develop the most appropriate technology approaches to solve water issues. Cost, water quantity and energy demand should all be considered.

- Objective 2: El Paso/Ciudad Juarez should be named Paso del Norte Air shed.
 - RESPONSE: The Paso del Norte air shed (El Paso, Ciudad Juarez and Sunland Park) has been included.

- Rural areas are excluded; this is the whole aim of the subcommittee formed under the Air Forum. This should already be in place for areas approaching standards. We need to be more proactive instead of reactive.
 - RESPONSE: Rural communities are a priority to the border 2020 program. In order to meet future monitoring needs, innovating solutions will be required. Border 2020 aims to support that goal through objective 3.

- Please include all sources of emissions including those that are of natural source as well as those of urban nature. At this time this goal is limited to vehicle emissions. Also,

need to include sources such as: natural, dunes, unpaved roads, urban areas with limited infrastructure, sports and agricultural fields, others.

- RESPONSE: Changes have been made to reflect all pollutant emissions.
- Promote best management practices (BMPs) for air pollution abatement from U.S. agricultural sources—in particular dust associated with unpaved farm roads, tilling, and field burning. Working through the Border 2012 Air Policy Forum and other task forces, EPA should collaborate with Mexican agencies to disseminate this information to Mexican agricultural producers.
 - RESPONSE: Where appropriate, the US state and local authorities include BMP’s to reduce the emission of particulate matter, especially in areas of non-attainment. For example, ICAPCD Rule 806 requires BMPs for roads and tilling on large farms. Border 2020 has publicized this program, and U.S. agencies regularly collaborate with Mexican agencies on such programs.
- Replace “new” with “additional” or delete “new” and insert “newly” prior to “re-designate”.(Line 577)
 - RESPONSE: This comment has been addressed in the framework document.
- The last two sentences in this paragraph create confusion about the wording and the intentions of the objective: they imply all that is really intended to improve the provisions of real-time data (line 573). If the monitoring and measuring is already occurring, as is stated, then a deadline of 2018 is not necessary. The combination of “by 2016” and “maintain” is awkward.(Lines 582-586)
 - RESPONSE: This comment has been addressed in the framework document.
- At end of sentence add “These data are to be readily available to the public by real-time displays on the Internet for each monitoring sensor.
Reason: This display will integrate data from both sides of the border and to be used by both countries as a unifying display.(Page 17)
 - RESPONSE: Air quality data from monitoring networks in the border region is already available to the public through the Air NOW and SINAICA websites:- www.airnow.gov and www.sinaica.ine.gob.mx
- Although the draft program makes reference to actions to help border communities become more resilient to the effects of climate change; it currently does not include an evaluation of climate change adaptation issues nor strategies.

- RESPONSE: Although not specifically mentioned, evaluation of climate change adaptation issues is implicitly included once the plans have been implemented.
- There is a recommendation to complete climate action plans for the 6 Mexican states, why? Why not for the US states? Is it because of Texas not liking the term climate change? Maybe we should then call it climate variability.
 - RESPONSE: California, Arizona and New Mexico have completed similar types of plans. Texas has legislation focusing on renewable energy development.
- Encourage the U.S. Environmental Protection Agency (EPA), its equivalent in Mexico (Secretaría de Medio Ambiente y Recursos Naturales [SEMARNAT]), and other U.S. and Mexican federal agencies, as appropriate, to clarify the roles of binational institutions with regard to border climate change actions and urge enhanced coordination among these entities.
 - RESPONSE: This is an ongoing process, and will continue as priorities and projects are developed to promote priorities as identified.
- Objective 3: because this objective applies only to the Mexican states, it is not necessary to include in the binational program.
 - RESPONSE: Border 2020 is a binational program. This is an activity with potential benefits to the trans-border region. California, Arizona and New Mexico have completed similar types of plans. Texas has legislation focusing on renewable energy development.
- It's important to set baselines for each of the G & O of the program, as well as to define the follow up/evaluation of progress procedure, in addition to the Indicators. Examples: Objective 3: By 2015, support completion of, as appropriate, climate action plans in each of the six northern Mexican Border States, as well as the building of necessary capacity for sustained implementation. BECC has developed the first stage of the climate action plans for 4 of the 6 Mexican Border States and is working to do the same with Chihuahua and Tamaulipas. The second phase of this plan is being considered under BECC's Climate Change Program / Objective 1: By 2020, reduce greenhouse gas emissions/impacts through energy efficiency and/or alternative/renewable energy projects. BECC is developing an Institutional Program on Energy Issues which includes not only the certification of projects for NADB financing, but also Technical Assistance for Energy Audits and Capacity Building activities that could foster the achievement of this Objective.
 - RESPONSE: We appreciate all the assistance that BECC provides for the border and look forward to coordinating Goal 1 activities with BECC's activities during the implementation of Border 2020. Baselines will be

developed on a case by case basis. Border 2020 Program progress will be addressed in the indicators' reports.

- Given the importance of the topic is a right choice to include it in the border 2020 agenda; however I notice that the approach is biased towards mitigation through GHGs emissions' reduction through energy efficiency.

Do consider that climate change or the part of climate variability caused by GHGs emissions is the result of unsustainable patterns of production and consumption of fossil fuels, this is, a rather development problem. Thus, in special for the Mexican side, the real concern regarding climate change must concentrate on adaptation strategies and in a second degree on mitigation.

Mitigation is an important transitional step towards a low carbon economy, besides there is also an ethical duty to reduce GHGs, saying this, it is crucial to recognize that mitigation measures go beyond reduction of GHG emissions, as these are deeply intertwined with economic activities. Thus, mitigation should include de-coupling measures, for example, support activities to provide efficient public transport instead of using cars, accompanied with binational policies to control the importation of highly inefficient cars from the USA, an air quality program on the Mexican municipalities with the option to fines and an environmental education program, for the population.

Apropos of transport, according to the GHG inventory for Baja California developed for COLEF, this is the sector responsible for 59 % of GHGs emissions. Transport as part of the energy sector is more important than the rest of components; for example the electricity generation contributes with 29%, residential use contributes with 6%, the last 6 % is due to uses of energy in the industrial, agricultural, commerce and services sectors.

Finally, helping the Mexican Border States to complete their GHGs emissions inventories is not to assign them with an external consultant firm to carry out calculations. Do keep in mind that there are plenty of national activities financially supported by INE, SEMARNAT, ICCT, Connect, etc. to help Mexican States to develop inventories, Climate Acts, Mitigation and Adaptation Strategies, etc. Do not duplicate efforts. On top of that there is plenty of local knowledge that can enrich regional description.

- RESPONSE: GHG inventories and climate change action plans are a collaborative effort among Mexican and U.S. states, INE, SEMARNAT, EPA, BECC, stakeholders and NGOs. Having comparable inventories allows for cross-border emissions comparisons and reduction planning.

- Regarding Objective 5, possible projects include: Border-wide training for local officials in instituting and sustaining urban energy efficiency measures; facilitating alternative modes of transportation; green building training/workshops; forums in which states,

localities, NGOs and industry can share program information and technologies; and energy efficiency co-benefits through vehicle and certain stationary source emissions reductions.

- RESPONSE: Border 2020 will encourage the types of mechanisms you describe when cities are considering changes to transportation, infrastructure and energy efficiency.
- Border 2020 should leverage projects focused on reducing motorized travel, encouraging mass transit system adoption, and improving infrastructure to make it easier to walk and cycle for short trips. Projects may include educational activities and/or design and implementation plans for alternative transportation corridors.
 - RESPONSE: Leveraging resources is one of the many tools used in the border program to initiate and implement programs and projects. However, on specific alternative transportation modes, such an effort is beyond the scope and resources of the APF.
- Combination / Objective #5 – By 2020, reduce GHG emissions/impacts through energy efficiency and/or alternative/renewable energy projects; please use the phrase “encourage EE/RE projects”, stay away from reduce GHG emissions.
 - RESPONSE: The language has been modified to emphasize that energy efficiency and renewable energy projects are a means to achieving cleaner air, including reducing greenhouse gas emissions.
- The fresh produce industry in Nogales, Ariz., and related industries believe there are a variety of ways to participate in the Border 2020: U.S.-Mexico Environmental Program. In particular, the industry would be able to help EPA reach its goals if offered any assistance in the form of federal, state or local incentives or training related to the following:
 - Add solar electricity generation to produce warehouses. These warehouses will consume electricity during the hotter daylight hours, helping reduce demand on the electrical grid and reducing related greenhouse gas emissions.
 - Improve energy efficiency of produce warehouses through improved lighting, refrigeration and other measures.
 - RESPONSE: Border 2020 encourages you to participate in the Arizona/Sonora task forces.
- Add improved or new possibilities of public transportation. Promote the use of other modes of transportation that is not private vehicles (bicycling, motorcycles).

- RESPONSE: Border 2020 encourages all types of mechanisms you describe when cities are considering changes to transportation, infrastructure and energy efficiency.
- There are multiple objectives intended by the greater use of efficiency and renewable energy and recommend the objective be simply, “reduce air pollutant emissions/impacts through energy efficiency, and/or alternative/renewable energy projects”.(Line 601)
 - RESPONSE: This comment has been addressed in the framework document.
- Delete “regional “and insert “in the regions” at the end of the first sentence. They do not need to be “regional projects”. (Line 609-610)
 - RESPONSE: This comment has been addressed in the framework document.
- Climate change is tricky for us but it needs to emphasize the development/use of renewable energy/energy efficiency, (carbon sequestration?) as means of reducing GHG’s.
 - RESPONSE: Border 2020 program has included energy efficiency and renewable energy. Carbon sequestration can be helpful in mitigating greenhouse gas emissions; Border 2020 may look for opportunities to partner with relevant stakeholders to pursue this strategy. However, the financing of any reforestation goes beyond the scope and resources of the Border 2020 program.
- After “officials” add “and the public”:- reason: The public needs to be educated and trained so that they can participate. Training just public officials will seriously retard the total impact of this plan.(Page 18, line603)
 - RESPONSE: Border 2020 will consider this recommendation, taking into account available resources.
- Consideration should be given to the policies included in the SANDAG regional Energy strategy that promote the reduction of energy demand and water consumption.
 - RESPONSE: Border 2020 promotes the reduction of greenhouse gas emissions and impacts through energy efficiency and alternative/renewable energy projects. Border 2020 will consider aspects of SANDAG’s regional energy policy as appropriate.
- In regards to obtaining information and technical assistance, it would be best to coordinate with other public agencies that are related to transport, energy, and

biodiversity. Of course the latter is nothing foreign to the work of SEMARNAT and EPA because this does need to be incorporated within the goal areas. The importance that this has, especially within the Sonora-Arizona region, protecting the bio-sphere is something that should be looked as a whole.

– RESPONSE: This comment has been addressed in the framework document.

➤ The Renewable Energy career exists at the Technological University of Nuevo Leon, we recommend the University to name a representative as the leader of the Goal 1 workgroup in the Falcon area.

– RESPONSE: Border 2020 encourages you to contact the current Co-Leaders of the Falcon area workgroup to consider your request.

➤ Change “Impacts of climate change” to “potential impacts of climate variability”.(Line 621-622)

– RESPONSE: The term “climate change” has been retained because of its widespread use.

➤ Change ‘Impacts of climate change that will affect precipitation....’ To “impacts of climate variability that may affect precipitation...”.(Line 632-634)

– RESPONSE: The term “climate change” has been retained because of its widespread use.

GOAL 2: IMPROVE ACCESS TO CLEAN AND SAFE WATER

Watersheds in the U.S.-Mexico border region are shared bi nationally, with rivers flowing from one country to the other or forming the international boundary. Protecting and restoring watersheds and water quality in these rivers and providing adequate drinking water and basic sanitation services requires collaborative bi national, multi-jurisdictional planning efforts. The border region faces significant challenges associated with the shared watersheds that are exacerbated by high population growth rates and potential impacts of climate change.

Under the Border 2012 program, and through the U.S.-Mexico Border Water Infrastructure Program, approximately 54,000 households received first-time access to drinking water service and 513,000 households were provided access to adequate wastewater sanitation between 2003 and 2011. The program also provided funding for upgrades to a number of existing wastewater and drinking water treatment systems in the border area.

The Border 2012 program also funded over \$2 million in water quality studies, wastewater and storm water treatment demonstration projects, trash removal projects, and purchase of flow and water quality monitoring equipment on both sides of the border. The Border 2012 program created five separate Task Forces along the border, which provided border communities with a mechanism to identify high priority issues, to learn about water-related issues on both sides of the border, and to collaborate on projects and studies. These Task Forces have been instrumental in the development of the new Water Goal objectives.

The Border 2020 Water Goal builds upon the successes and lessons learned from the Border 2012 program. Under the Water Goal, Mexico and the U.S. will work to address the following challenges:

- Lack of access to safe drinking water, which poses a significant threat to public health in border communities.
- Inadequate collection and treatment of wastewater, which contaminates surface waters and aquifers and threatens public health and the environment.
- Inadequate management of storm water pollution that contributes significantly to water pollution problems and the potential for floods.
- Inadequate public access to water quality data, which decreases the public's ability to know whether a water body is safe for recreational use.
- Impacts of climate change that will affect precipitation patterns and duration of droughts, making water availability even more challenging in an already arid region, and making wastewater infrastructure more vulnerable to damage from floods.

COMMENTS/RECOMMENDATIONS AND RESPONSES

- Development of a binational watershed protection plan for the Lower Rio Grande is also an intention of three other initiatives which Border 2020 should coordinate with. The three initiatives (which are also referred to below) are the following: (1) The US Army Corps of Engineers (USACE) intention to develop a Rio Grande Environmental Management Plan, presumably for the entire basin from Colorado to the Gulf; (2) the EPA-GEF-SEMARNAT initiative to assess both physical and institutional features of the Rio Grande-Rio Bravo Basin (announced in May 2011); and (3) the development of a Rio Grande-Rio Bravo Regional Advisory Council (RAC) which is a loose coalition of watershed and environmental groups, state agencies (e.g., Texas Parks and Wildlife) and civic promoting basin-wide dialogue about the environmental health of the river and its binational watershed.
 - RESPONSE: The Texas Commission on Environmental Quality (TCEQ) is the lead for the development of the Lower Rio Grande binational watershed protection plan and is working closely with CONAGUA, IBWC/CILA and EPA to coordinate the

development of the plan. As partners in the Border 2012 and now the Border 2020 Program, these agencies will continue to coordinate with other participating agencies and initiatives, including the ones mentioned, as needed.

- Need to encourage more collaboration between water operators between the two countries. The exchange of experiences and technology is key to accomplishing this goal.
 - RESPONSE: Initiatives under Sub-objective 2c will incorporate this recommendation as appropriate.

- Within the Lower Rio Grande region, there is an opportunity to build a strong institutional component into the Environmental Program to take advantage of the three initiatives cited above, and add an additional Goal to the Program: Binational coordination in planning both development and restoration activities. The scope of coordination should include modifying the river channel, bank, and floodplain morphology of the Middle as well as Lower Rio Grande and its major tributaries, as well as flow regimes (not quantity per se but rather timing to enhance environmental benefits) insofar as proposed activities or modifications can be reasonably expected to affect the ecology of the Lower Rio Grande. The way this new (and admittedly ambitious) goal could be implemented is through developing a stakeholder council for the Lower Rio Grande which could be co-sponsored by EPA, SEMARNAT, USACE, and RAC, and would invite the involvement of major stakeholder groups such as business associations, major industries, agricultural businesses and farmer/rancher associations, major municipalities, state agencies, tribes, environmental groups and other civic associations.
 - RESPONSE: The International Border and Water Commission (IBWC/CILA) is the responsible agency for any activity associated with the Rio Grande/Rio Bravo, including the activities mentioned in this comment. IBWC/CILA are involved, as partners, in the development of the binational watershed protection plan and may consider these issues as the plan is being developed.

- Undoubtedly, water infrastructure has been increased and improved under the joint environmental border program. However, there is the need to "monitor" that such infrastructure and connections keep working; especially on the Mexican side, where there is not a culture of facility maintenance. I believe that a five year period of frequent monitoring prior responsible assignation could help to ensure that facilities will work after opening, and hence fulfill the purpose to improve the well being of border communities and protect the initial investment.
 - RESPONSE: Operational performance and provisions for adequate operation and maintenance are requirements for the US-Mexico Border Water Infrastructure program funding. EPA requires a project review after construction, including performance evaluation, to ensure that infrastructure constructed with EPA funding is being appropriately operated and maintained.

- The objective 3 is limited to four specific watersheds/bodies: this objective does not allow for the identification and/or reduction of contamination of other watersheds/bodies along the border. For example: the Tohono O’odham Nation has one watershed that is binational known as Vamori Wash. This large particular wash star in Sonora Mexico, winds through the Tohono Nation and then goes back into Sonora Mexico. There is concern of the water quality with in this particular area. Very low levels of pesticides residues were collected during a large stormwater event a few years ago. The recommendation is not to limit this objective to certain watersheds/bodies. Possibly include a fifth sub-objective for any new and/or additional watershed/bodies. At a minimum watershed information on binational aquifers should be provided by the pertinent governmental authorities, as needed.
 - RESPONSE: The language of Objective3 has been revised to make it clear that projects in additional water bodies or watersheds may be undertaken under the Regional Workgroup Action Plans.

- Should incorporate under goal #2 technical assistance (seed funding oversight) to private/small water utilities to become compliant before they become efficient and sustainable. Human health exposure to solvents, metals, and bacteria need to be addressed since many along the US side of the Border have been non-compliant.
 - RESPONSE: EPA acknowledges the need that many small communities have for technical assistance. The US-Mexico Border Water Infrastructure program provides technical assistance to project sponsors through the Project.

- Non-qualified personnel, aging infrastructure, financial issues and poor community engagement have created a situation that marginalizes underserved communities and further increase risks. Remediation as well as groundwater funds should be considered as assistance too. Please review Valle Verde Water Company and other examples that can be considered case studies of the issues.
 - RESPONSE: The Development Assistance Program is administered by BECC. This assistance is, however, limited to not-for-profit and/or public entities.

- The term of hydrographic river basin is only used in reference to rivers that flow within an area into the other or two rivers that divide two nations. However, transboundary aquifers are not included within this term. Examples, Conejos medians, the Hueco de Chihuahua, Texas, and New Mexico, Santa Cruz, etc. There needs to be a subterranean approach when we talk about hydrology in general in order to address all the bodies of water.
 - RESPONSE: While it is true that the draft plan does not specifically mention transboundary aquifers, protection of these aquifers is an important goal of both countries. By improving surface water quality in transboundary watersheds (as specified under Objective 3) we believe that water quality in many of the

corresponding transboundary aquifers will also improve. In addition, the Border 2020 Water Task Forces will continue to serve as venues for members of the community, government agencies and academic institutions to share information and concerns regarding transboundary aquifers.

➤ Reduce levels of metals, sediments and bacteria in all watersheds entering the Rio Grande.

- RESPONSE: Border 2020 acknowledge the importance of reducing pollutants in entire watersheds, however, the US/Mexico Border 2020 Program has a 100 km boundary limit on either side of the border for water quality evaluations (as defined by the La Paz Agreement). Therefore, work in tributary watersheds that extend beyond the 100 km limit (Pecos, Rio Conchos, etc.) will be limited.

➤ Start addressing waste pharmaceuticals being flushed down the toilets and entering water supply. Incorporate wetlands to help clean water.

- RESPONSE: Waste pharmaceuticals are not addressed in the border 2020 program. However in the US, the EPA continues to assess the impact of waste pharmaceuticals in water streams and while the agency has issued guidance on the proper disposal of this waste stream, the authority to collect and properly dispose of pharmaceuticals at this time is led by the Drug Enforcement Administration through the Take Back program. The Take Back program is coordinated by DEA nationwide in the United States.

➤ Incorporate wetlands to help clean water.

- RESPONSE: The US-Mexico Border Water Infrastructure Program in the past has used constructed wetlands as a means for wastewater treatment (Mesquite, NM). This type of treatment process was not very successful in effectively treating wastewater to US surface water discharge standards. However, the program does incorporate wetlands as a post treatment water reuse technique for several US/Mexico border wastewater treatment facilities.

➤ Objective 2 talks about creating operational capacity development within public services, however, it does not mention the role of private initiatives. For example, in Ciudad Juarez, Carson Group is the main holder who administers water services. Perhaps there should be some consideration to incorporate capacity development within the area of the management of water services so that this can be addressed holistically.

- RESPONSE: Sub-objective 2c is intended to be comprehensive and identifies operational, managerial and financial capacity building. Partnerships to promote capacity development are encouraged but activities may not in all cases be eligible for Program funds.

- Objective 2 should leave open the possibility for infrastructure projects to begin to consider additional benefits within the areas of public works, energy savings, sub-product generation like that of treated water, ecosystem conservation that would strengthen economic efforts, priority efforts, and resources.
 - RESPONSE: Border 2020 intends for these types of projects to be considered as “sustainable infrastructure.” A sentence has been added to the objective to provide examples of sustainable infrastructure practices and projects.

- Objective 3 -This objective talks about projects that reduce levels of heavy metals, bacteria and sediments in the Rio Santa Cruz and other such as the Rio Nuevo and Rio Tijuana. It is not clear as from studies that this presents evidence. It would be best where it is referenced in order to continue with this proposal.
 - RESPONSE: The pollutants in sub-objectives 3.b, 3 c and 3.d were identified as causing water quality impairment in the Clean Water Act 303(d) reports for the State of California and the State of Arizona.

- EPA should review the New River Improvement Project (Strategic Plan) and include the priority elements within Goal 2 of the Border 2020 program. This projects was proposed by Assembly Man Perez (Bill1079), signed by the governor in 2009.
 - RESPONSE: Border 2020 allows for the Regional Workgroups to propose projects every two years that will improve water quality in the New River. As a member of the Regional Workgroup, the Cal EPA Secretary may propose specific projects to the Regional Workgroup for consideration.

- The New River in the Mexicali area has been covered over through a collaboration of private funding/state government, eliminating the air contamination in the area. It would be good to have the same type of effort in Calexico-Imperial County. The New River runs through our communities and our residents are exposed to potentially hazardous fumes. I interviewed Karina Rancheria (Calexico resident) who walked daily in Nosotros Park (located near New River) and experienced dizzy spells and double vision during and after her walks. Hundred of Calexico residents use this park. Mosquitoes breed along the New River. Hope you consider our thoughts deeply.
 - RESPONSE: Border 2020 recognizes the New River as a high priority watershed and Sub-objective 3c is taking this comment into consideration. Objective 3c has been revised to also include Biochemical Oxygen Demand as a high priority pollutant.

- If it is truly the purpose of Border 2020 to in part protect the water of sensitive populations and to engage with border communities on the health related risks associated with the use and exposure of hazardous chemicals including pesticides and the transport and fate thereof, why is it that the EPA currently approves the use of several forms of the aquatic

highly toxic pesticide, rotenone, multiple times and over multiple years, less than 4 miles upstream of the Town of Patagonia's, a border community's drinking water supply?

This is of particular importance to me and other residents of Patagonia because rotenone based aquatic pesticides kill everything that obtain oxygen from water (including amphibians, insects and fishes) can persist in soils/sediments for months and had recently been linked to the onset of Parkinson's disease in humans (NIH, 2011) and to similar symptoms in rodents even when the amount of exposure is undetected able. Given the current state of scientific knowledge relative to the use of rotenone-based aquatic pesticides, I strongly urge the US-Mexico Border Program to adopt a moratorium on the use of these extremely toxic aquatic pesticides on either side of the border until their safety of use as to both humans and other species as well as water quality, can be established.

- RESPONSE: Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), pesticides are registered with the EPA on a national level based on scientific data demonstrating that when used according to label directions and precautions, these products will not cause unreasonable adverse effects on human health and the environment. At present, rotenone is registered by EPA for use only as a pesticide, that is, to kill undesirable (invasive) fish species. EPA most recently completed a risk assessment for rotenone in 2007 as part of the pesticide re-registration program. The 2007 rotenone RED and the full risk assessments and related documents are publicly available at www.regulations.gov in docket number EPA-HQ-OPP-2005-0494.

Extensive risk mitigation resulted from the 2007 rotenone reevaluation decision to ensure that rotenone's sole use, to kill invasive fish species, will not pose unreasonable health effects to humans or the environment. For applications near drinking water intakes or where hydrologic connections to wells exist, applicators must notify the drinking water system operator or individual private water users 7-14 days prior to the application. To further protect drinking water supplies, in some instances applicators may have the system shut down, dilute with untreated water, or deactivate the rotenone with potassium permanganate in order to prevent migration beyond the treatment area. EPA has also instituted setbacks from water intake points.

In addition, EPA has required the registrant for rotenone to develop a relatively detailed standard operating procedure (SOP) for the application of the compound to water. The SOP is intended to limit human exposure and non-target animal/plant exposure, thereby limiting potential risks.

Regarding concerns over rotenone and a connection with Parkinson's, EPA is aware of the study conducted by the Parkinson's Institute and Clinical Center in California with funding provided by the National Institutes of Health and National Cancer Institute. EPA has been closely following this research and is currently developing a

framework to incorporate data from similar studies into our risk assessment. As part of EPA's program to continuously evaluate new scientific information on pesticides, EPA will review and carefully consider these new results as part of the overall safety review for rotenone.

- Has the EPA consulted with the US Fish and Wildlife on the use of Rotenone as the law requires? Rotenone is an aquatic toxic (poison) being proposed to be used and has in fact been used within the jurisdiction of Border 2020. The most recent science by the National Institute of Health (NIH) concludes that applications of Rotenone have a 2.5 times higher probability of developing Parkinson's disease. In addition there are according to Nancy Erman, a renowned aquatic scientist, 352 scientific studies linking rotenone to Parkinson's disease. Why hasn't the EPA completed an environmental impact statement on the use of rotenone in Arizona waters by the US Fish and Wildlife Service, Arizona Game and Fish, and US Forest Service within the border areas? A moratorium on the use of Rotenone is required until an environmental impact statement is completed and the EPA has consulted with the USFWS as the law requires.
 - RESPONSE: As a result of the Agency's 2007 Re-registration Eligibility Decision (RED) for rotenone, all agricultural, residential, livestock, and domestic pet uses were cancelled. It was determined, based on the extensive mitigation measures required that rotenone's only remaining use as a pesticide will not pose unreasonable health effects to humans or the environment.

A comprehensive rotenone ecological risk assessment planned during the next registration review will allow EPA to determine whether rotenone's use has "no effect" or "may affect" federally listed threatened or endangered species (listed species) or their designated critical habitats. When an assessment concludes that a pesticide's use "may affect" a listed species or its designated critical habitat, the Agency will consult with the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) (the Services), as appropriate.

EPA is not required to prepare an environmental impact statement for the use of rotenone in Arizona waters. As for any specific projects in Arizona, the entities involved in the project, not EPA, would need to determine if they are required by the Endangered Species Act to consult with the U.S. Fish and Wildlife Service.

- Congressman Filner believes that the plan should take a holistic approach to addressing the environmental and health impacts of the US/Mexico border on the region. The EPA Border 2020 Plan must include a comprehensive plan to address the environmental and health impacts of the New River, which is the most polluted river in North America. The EPA Border 2020 plan must also address the toxic pollution from Tijuana that plagues San Diego's waterways and beaches. Many members of the community have worked for years on a

solution to these chronic environmental health hazards, and it is important for their views and ideas to be incorporated into the final EPA Border 2020 plan. Finally many of you are aware that Congressman Filner secured \$4 million in federal funding in the 2004 surface transportation authorization bill to develop bicycle paths and public park space adjacent to the New River-Calexico. If this funding is not used in the near term, Congressman Filner is concerned that it will be swept-up and redirected to other uses, as Congress has done with other unspent transportation funds. As EPA develops the Border 2020 plan, Congressman Filner hopes this existing transportation funding can be put to good use by the local community.

- RESPONSE: The New River and Tijuana River are high priorities and the comments have been addressed within the border 2020 plan in sub-objectives 3.c and 3.d.
- Include the Colorado River Delta as part of the watershed planning as part of another sub objective 3e. Part of this river delta relates to the city of San Luis Rio Colorado. The Colorado River delta forms part of the biosphere of the Gulf of California and Sea of Cortes. As this is a binational problem there has been unequal distribution of the waters on both side which has resulted in disproportionate development in many species, flora and fauna that are part of the Gulf of California.
 - RESPONSE: The language of Objective 3 has been revised to make it clear that projects in additional water bodies or watersheds may be undertaken under the Regional Workgroup Action Plans.
- The International Outfall Interceptor (IOI) must be repaired. Friends of Santa Cruz River (FOSCR) strongly recommends an integrated engineering approach to comprehensively address these comingled infrastructural and environmental issues. Nogales Wash contamination and flooding must also be remedied to keep the water supplies in Rio Rico and all points downstream of the Nogales International Wastewater Treatment Plant (NIWTP) safe and protected in perpetuity. In its current condition, the IOI is a catastrophe in the making. Further failure of the IOI may not only affect the City of Nogales, but the entire reach of the Santa Cruz River as far north as Tucson and Marana. The consequences of such an event would be devastating to human health, property and the entire river ecosystem.
 - RESPONSE: EPA recognizes the need to replace the IOI. Projects addressing the repair or replacement of the IOI can be included in the two-year action plan for objective 3b, if resources become available.
- A second issue of concern to those in the upper Santa Cruz River basin is the new Los Alisos Wastewater Treatment Plant in Sonora, Mexico, which will affect effluent flowing into the Santa Cruz River. While water quality may improve, water quantity will decrease as Mexico recaptures the effluent from the new treatment plant. This will have damaging impacts on the riparian ecosystem along the river corridor and also reduce aquifer recharge on the U.S side of the border. Friends of Santa Cruz River (FOSCR) encourages working with Mexico to

maintain the flow of the Santa Cruz River by entering into a long-term lease with Mexico of its treaty limit of 9.9 million gallons/day of effluent.

- RESPONSE: The capacity of the Los Alisos facility is 5 million gallons per day. Only a part of that capacity will be used to treat flows diverted from the Santa Cruz River watershed. The majority of the wastewater from the Santa Cruz River watershed in Mexico will continue to be treated at the Nogales International Wastewater Treatment Plant and discharged to the Santa Cruz River. EPA is unaware of any plans to build the additional infrastructure needed to pump more wastewater out of the Santa Cruz River watershed an average of 9.9 mgd is expected to continue to be conveyed to the NIWTP.
- Friends of Santa Cruz River (FOSCR) is also greatly concerned with the number of contaminants, most notably emerging contaminants, which have been found present in the Santa Cruz River's flow. The fact that these contaminants are unregulated and cannot currently be treated by the NIWTP means they are in the river's flow and could make their way to the aquifer and drinking water supply. Perfluorooctane sulfuric acid (PFOS) found in flame retardants, Sulfamethoxazole found in antibiotics, Sucralose found in artificial sweetener and other endocrine disruptors have been detected in the Santa Cruz River directly below the NIWTP. It is imperative that these contaminants are identified, listed on the EPA Contaminant Candidate List (CCL) and become regulated.
 - RESPONSE: Although not under Border 2020 purview the US EPA is assessing the effects of emerging pollutants under both the Clean Water Act and Safe Drinking Water Act.
- As water resources become increasingly scarce, Friends of Santa Cruz River (FOSCR) supports the use of water harvesting techniques and gray water systems. More public outreach such as community workshops in both English and Spanish and easily accessible demonstration sites would help educate about the benefits of capturing rainwater, utilizing gray water and planting native vegetation. These would not only reduce water use but also benefit native plants and wildlife.
 - RESPONSE: The development of innovative approaches to water conservation and reuse is increasingly important. These types of efforts are covered under objective 2. Border 2020 will identify specific projects to address issues of sustainability and conservation in the two-year action plans.
- Scattered small settlements and communities along the border region need water and power. Rather than attempting to connect rural settlements to central utilities, Friends of Santa Cruz River (FOSCR) encourages utilizing a small systems approach by providing decentralized waste water treatment and solar power. Successful examples of this have occurred on the Tohono O'odham reservation.

- RESPONSE: Language in Objective 1 has been changed to reflect this comment. Border 2020 agrees that large, centralized systems are not always appropriate for small communities. Border 2020 encourages, when appropriate, a small systems approach.
- The goal of improving access to clean and safe water certainly faces many challenges in border regions as populations and the demand for water increases. Some communities in southern New Mexico lack basic infrastructure for domestic and commercial water supplies. This situation has been improved in the border region by successes of the Border 2012 clean water access initiatives. NEW Mexico Department of Agriculture (NMDA) suggests that partnerships developed within the Border 2012 Program be leveraged and maintained for continued success. Water supply (with a particular focus on transboundary aquifer assessments), water quality, wastewater treatment, flood control, and climate change are the major challenges also being addressed in New Mexico’s border region. Collaboration on such initiatives could leverage existing funding sources to provide maximum benefits to border water projects. Groups such as the Colonias Infrastructure Board, the New Mexico Water Trust Board, and the Rio Grande Council of Governments address these types of issues through funding mechanisms and project implementation; and they could be important stakeholders in the Border 2020 Program.
 - RESPONSE: Leveraging all available resources is a goal of the Border Environment Infrastructure Fund (BEIF). Once a project has been selected for BEIF funding, both the BECC and NADB work closely with the project sponsors to assure that all possible funding sources are contacted to determine the possibility of funding portions of the project.
- How do the stated targets within these sub objectives compare to the estimated need/number of households that do not have connections to safe drinking water and adequate wastewater treatment? Has there been a study to determine the estimated need in the U.S.-Mexico border region? How were these targets established?
 - RESPONSE: Border 2020 is not aware of any study that reliably and comprehensively estimates the number of households lacking connections. For many reasons, gathering such data accurately is extremely difficult. Rather than basing targets on estimates of the number of households lacking connections, the targets are based on the US -Mexico Border Water Infrastructure Program actual funding availability for construction projects currently in the development phase. These projects are selected for funding through a risk- based prioritization process to identify and select those projects that address the most critical health and environmental needs. The FY11/12 prioritization cycle resulted in 200 applications with a total estimated construction cost of \$800M.
- It is unclear what is being said in this paragraph. The first sentence states that water connections funded by programs other than the U.S.-Mexico Border Water Infrastructure

Program are not tracked under the sub objectives' established targets. The second sentence then states that any improvements to existing systems that are funded by the infrastructure program may not be reflected under the sub objectives. However, on lines 642-643 on Page 19, it is stated that objectives are based on projects funded by the infrastructure program. Clarification is needed on whether the infrastructure program is being utilized to reach the objective of increasing the number of homes connected to safe drinking water and adequate wastewater treatment.

- RESPONSE: The comment has been addressed. Clarification has been provided.
- It is recommended that projects addressing these water quality sub objectives collaborate with 319(h) water quality projects in the United States when Total Maximum Daily Loads have identified nonpoint source pollution in regions identified in these sub objectives.
 - RESPONSE: Border 2020 is in agreement with the recommendation. Objective 3 maintains a non-point source evaluation component for the lower Rio Grande binational water shed protection plan.
- In reference to sustainable water resource management, consideration needs to be given to any treaties or river compacts that dictate allocation among state and international parties, such as the Rio Grande Compact and its commission in our region.
 - RESPONSE: Border 2020 agrees that consideration needs to be given to any treaties or river compacts that dictate allocation among state and international parties, such as the Rio Grande Compact and its commission in our region.
- There is a need to include the Colorado River watershed in the framework document. There are concerns over the degradation of the Colorado River Delta and the Cienega de Santa Clara, which fall within the 100 kilometer border region.
 - RESPONSE: The language of Objective 3 has been revised to make it clear that projects in additional water bodies or watersheds may be addressed under the Regional Workgroup Action Plans.
- Concerns associated with climate change and its impact on infrastructure, particularly in reference to dams that are not designed to handle associated extreme events, where highlighted.
 - RESPONSE: Border 2020 shares the concern about the impact of climate, change on water and wastewater infrastructure. Specific issues, such as dam capacity, should be raised at the state and local levels.

- Reliance on groundwater resources in the border region is not sustainable, efforts at water conservation that can be leveraged through Border 2020 are encouraged, particularly water harvesting for attenuation of non-point source pollution.
 - RESPONSE: Sustainability and water harvesting efforts are encouraged under goal 2 objective 2.
- Greenhouse gas reduction benefits can be realized through water harvesting for landscaping needs. Water-energy nexus associated with pumping groundwater, and the benefits of using harvested rainwater to offset energy demands, were highlighted.
 - RESPONSE: This comment is addressed in goal 2 objective 2.
- In response to the Border 2020 goal of increasing the number of homes connected to wastewater treatment systems, Dr. Kiril Hristovski of Arizona State University (ASU) suggested Border 2020 support the development of alternative and decentralized wastewater treatment facilities. Dr. Hristovski also suggested that Border 2020 consider and/or weigh economic opportunities that may result from future projects. Academic institutions that develop new technologies offer opportunities for technology transfer to the private sector. One example is the development of low cost point of use arsenic and nitrate removal media system leveraged through a Border 2012 grant. Once perfected, this technology can be shared within a community college environment to train future plumbers on point of use treatment systems for arsenic.
 - RESPONSE: The Border 2020 Program, through its Water Infrastructure funding, provides assistance to utilities and sponsors addressing drinking water and wastewater services. The program allows for alternative and decentralized wastewater treatment facilities when those alternatives are recommended and determined to be technically and financially feasible. If the facility plan and preliminary engineering report recommends these wastewater treatment facilities as the best solution to address the needs, the program may provide the necessary funding through the Border Environment Infrastructure Fund (BEIF).
- Protection and restoration of watersheds and water quality in these rivers and providing adequate drinking water and basic sanitation services requires collaborative bi-national, multi-jurisdictional watershed and infrastructure planning efforts.
 - RESPONSE: This comment has been addressed in the framework document.
- Objective 1: Increase the number of homes connected to safe drinking water and adequate wastewater treatment. Regardless of being connected to city water or not, every home I have ever been to in Mexico uses drinking water from the garrafon, which is trucked in from a central source. “Wastewater” is a misleading term with regard to the priority. The priority

is to treat the waste effectively and remove all contaminants. The term “Wastewater” suggests that the use of water in treating human excrement is a foregone conclusion. We live in the desert and we can eliminate water from the poop-equation, and treat waste more cheaply and more efficiently than traditional “water-pumping” approaches.

- RESPONSE: Water reuse language has been revised in Objective 2. Border 2020 has retained use of the term “wastewater,” however, as it is commonly used in this manner.

- Objective 1: Increase the number of homes with *access* to safe drinking water and adequate *waste-treatment services*.
Sub-objective 1b: By 2015, provide at least 39,000 households with adequate waste water sanitation. Revise target every two years.
Sub-objective 1b: By 2015, provide at least 39,000 households with adequate *sanitation and waste-treatment*. Why do we use these terms and please revise target every two years.
 - RESPONSE: The term “access” does not necessarily mean the homes are connected to safe drinking water and wastewater services. The language remains the same; however, Border 2020 considers the term “adequate wastewater sanitation” may include decentralized options such as composting toilet and septic systems. The target dates will be established in the 2 yr. action plan.

- Objective 2 on page 19 is a little confusing. Initially it states that the goal is to help existing drinking water and wastewater “utilities” improve their performance level. However, the second half of the section mentions the “planning” of new projects. Because there is a mention of new projects for future funding, I make the following suggestions: Objective 2: Help drinking water and waste water utilities in the border region to implement sustainable infrastructure practices to reduce operating costs, improve energy efficiency, use water efficiently and adapt to climate change.
 - RESPONSE: The purpose of this objective is to support water and wastewater service providers to develop sustainable practices. The word “utility” has been changed to “service providers” on objective 2 and 2.b

- Objective 2: Help drinking water and waste-treatment services in the border region to implement sustainable practices to reduce operating costs, improve energy efficiency, use water efficiently and adapt to climate change. Sub-objective 2a: Incorporate elements of sustainable service-access, as feasible and appropriate in US-Mexico Border Water Infrastructure Program BECC certified projects. Sub-objective 2b: Improve energy efficiency and efficient water use at border drinking water and waste water utilities.
 - RESPONSE: The purpose of this objective is to support water and wastewater service providers to develop sustainable practices. The word “utility” has been changed to “service providers” on Goal 2, Objective 2 and 2b.

- Sub-objective 2b: Improve energy efficiency and efficient water use at border drinking water and waste water services. The three sub-objectives will promote the incorporation of effective utility management practices and cost effective, climate-ready, sustainable components into the planning, design, and operation and maintenance of water and wastewater infrastructure projects. The three sub-objectives will promote the incorporation of effective service management practices and cost effective, climate-ready, sustainable components into the planning, design, and operation and maintenance of water and waste-treatment-service access projects.
 - RESPONSE: The term “access” does not necessarily mean the homes are connected to safe drinking water and wastewater services.

- “Sub-objective 3d: Every two years identify and implement at least one project to reduce the level of bacteria, sediment, and/or trash that enters the Tijuana River. Examples of potential projects include demarcation of federal land in floodplains to prevent irregular settlements, establishment of conservation easements, use of sediment control best management practices, and trash cleanup programs.” I feel that all of these examples of potential projects are geared towards projects on the US side. Money used in Mexico is far more effective and there should be something in here that mentions “SOURCE-BASED SOLUTIONS” on the Mexican side of the border.
 - RESPONSE: “Prevention” has been added under Goal 2, Objective 3d.

- With respect to the discrete, quantitative targets postulated for further household potable water and sewerage connections to be funded by the U.S.-Mexico Border Water Infrastructure Fund (Goal #2, Objective 1, Sub-objectives 1a & 1b), one cannot discern the extent to which fulfilling the given targets would suffice to meet current and/or expected future unmet needs without further information concerning unmet demand for these services. It would be more useful for the framework document to establish at least percentage targets--if meeting 100% of needs not met otherwise within two years of their identification is not feasible--and then biannually determine absolute, quantitative targets based upon the percentage target.
 - RESPONSE: The targets are based on the US Mexico Border Water Infrastructure Program actual availability of funds for the projected completion of construction projects. Projects are selected through a risk based prioritization process for project development and certification. For many reasons, estimating unmet needs in the border region is extremely difficult. A comprehensive assessment of Border infrastructure needs is not available, and is not feasible for EPA to prepare one, at this time. Rather, EPA uses the prioritization process to document unmet infrastructure needs. The FY11/12 cycle resulted in 200 applications with a total estimated construction cost of \$800M.

- At this time the Arroyo Alamar, represents 30% of the bank of Rio Tijuana and which is now being covered by cement. The communities of Chilpancingo, Murua and those who are south of the river have suffered severe impacts in the environment since the establishment of the assembly factories (maquiladoras) which has been responsible for the deterioration of the Alamar River. The Chilpancingo Collective and Environmental Health Coalition want to applaud the inclusion of Environmental Justice as part of fundamental principles for the Border 2020 program. If this was part of the vision during the earlier parts of the former programs, then the impacts that we are now seeing could have been avoided and the community could have been part of development process with regards to maquiladoras near the Alamar River. We bring up the Alamar River because it is of most importance to the community at this time.
 - RESPONSE: Border 2020 will continue working binationally to address underserved communities' concerns.

- Recommend greater attention to water allocation and access to potable water for poorer populations. Lack of access to water is a problem that has not diminished and, according to research, is expected to worsen with population growth and climate change.
 - RESPONSE: Water allocation is outside of EPA's regulatory jurisdiction. EPA's water infrastructure program will continue to provide access to safe drinking water to underserved communities in the Border. States have authority over water allocation issues.

- Include improvement of underground water quality.
 - RESPONSE: While it is true that the draft plan does not specifically mention transboundary aquifers, protection of these aquifers is an important goal of both countries. By improving surface water quality in transboundary watersheds (as specified under Objective 3) we believe that water quality in many of the corresponding transboundary aquifers will also improve. In addition, the Border 2020 Water Task Forces will continue to serve as venues for members of the community, government agencies and academic institutions to share information and concerns regarding transboundary aquifers. Also, while management of groundwater resources falls within CONAGUA's purview, EPA has limited direct authority with respect to groundwater quality. Given limited resources, we have decided to focus our binational efforts on areas where both EPA and CONAGUA have authority.

- Add- increase distribution of treated water for reuse thru the purple line. Extend its infrastructure and by such its distribution.
 - RESPONSE: The U.S.-Mexico Border Water Infrastructure program may consider water reuse as a component of a BEIF-eligible wastewater treatment project. The

program, however, has to consider any treaties or river compacts that dictate allocation among state and international parties.

- Don't lose focus of cross border waste flows. Continue efforts to provide wastewater treatment to all residents and businesses in Mexico. Support the expansion and upgrade of inadequate wastewater treatment plants, Punta Bandera plant. Concern over the unknown health impacts on both sides of the border of the direct discharge of treated effluent onto the beach at Punta Bandera. Concern about the operation and maintenance of existing sewer lines to ensure that clogs and breaks are minimized. O&M needs to be a priority when installing new wastewater infrastructure.
Tijuana River – the amount of effluent being discharged into the river is equal to or exceeding Mexico's ability to divert that flow at the border. The operational schedule and aging conditions of the Tijuana River diversion system in Mexico can be improved.
 - RESPONSE: Goal 2 addresses many of these comments related to the Tijuana River water shed, and specific projects will be included in two year action plans as appropriate.

- As clearly stated in the program, the lack of access to drinking water is a public health and environmental risk. These problems are increasing due to the growing population, the local institutions' lack of resources and the scarce or non existing information that promotes a water conservation culture. **SADM** (acronym for Water and Wastewater Utility of Monterrey) has faced these problems and keeps addressing them every day. For this reason we suggest the implementation of aggressive and comprehensive water conservation campaigns in order to create public awareness regarding the importance of this vital resource.
 - RESPONSE: Specific components of Goal 2, Objectives 1 and 2 include sustainable infrastructure elements, energy and water efficiency evaluations, and building operational, managerial and financial capacity at utilities through operator training and public awareness initiatives.

- New projects like energy co-generation, from the treatment of sludge, have helped in the past and may continue helping to reduce electricity costs. Also, selling treated wastewater to industries and municipalities is a very important issue in our agency, as well as the constant training of our employees on energy conservation and the implementation of new technologies that allow us to reduce costs and meet important sustainable goals.
 - RESPONSE: Border 2020 intends for these types of projects to be considered as "sustainable infrastructure." A sentence has been added to the objective to provide examples of sustainable infrastructure practices and projects.

- Please consider the following: Efficient use and management of water.

- RESPONSE: Efficient water management is included in Goal 2, Objective 2.
- Cost estimates of the water and wastewater infrastructure needed to bring the border to parity with the rest of the United States are coarse; more specific regional and binational data are needed in urban areas and tribal lands to prioritize needs. EPA and BECC should establish metrics to measure accurately the level of investment still needed in these areas.
 - RESPONSE: Even though comprehensive data on border infrastructure needs is not available, EPA does have a risk- based prioritization process to identify and select for funding those projects that address the most critical health and environmental needs. EPA and BECC use the prioritization process funding cycles to document unmet infrastructure needs. The FY11/12 cycle resulted in 200 applications with a total estimated construction cost of \$800M.
- Tribes do not apply to the BECC programs. In addition, tribes compete for grants with cities. Grants are very complicated format and they should be more like BEIF. It would be nice if some of the tribal drinking wells can be rehabilitated.
 - RESPONSE: The regional offices should be able to assist Tribes in applying for the available grants. There are Tribal representatives in both Regions 6 and 9.
- If the Border 2020 Framework Document is going to specifically mention the BECC and the NADB in the discussion of Goal 1(air), then it should also specifically mention those institutions in Goal 2(water), where they play a significant role.
 - RESPONSE: The BECC and the NADB play an important role in water infrastructure project implementation. Addressed within framework.
- Given the critical need for water conservation, we recommend Border 2020 include language about water conservation (going beyond efficient use of water by the utilities themselves, as covered in Objective 2) in the water goal.
 - RESPONSE: Language in objective 2 has been revised to specifically mention water conservation.
- The specific targets in these in these two sub-objectives are unclear. In the previous (may) version of the “water” sub-objective, there was a problem with a very awkward baseline date of 2003. Now there is no baseline date. To address this, we recommend that the sub-objective read, “provide 8,500 household which formerly lacked water...” and use similar language for the wastewater sub-objective. Under Border 2012, the water-related objectives were drafted and interpreted poorly. It is important such an experience not be repeated in the Border 2020. (Line 638-341)

- RESPONSE: Objective 1a has been changed to read “... provide at least 8,500 households with first-time with first-time access to safe drinking water.” and sub-objective 1b to read “... provide at least 39,000 households with first-time access to adequate wastewater sanitation.”

- We do not see the relevance of comparing the border to worldwide data citing United Nations figures. Omit this paragraph. (Line 647-653)
 - RESPONSE: The worldwide figures have been removed.

- What does “climate-ready” mean”? For instance, we are asking whether a component can with stand a category 4 hurricane? If the term refers to climate change, we recommend using “climate variability” instead. (Line 671)
 - RESPONSE: Climate-ready term has been removed.

- It's important to set baselines for each of the G & O of the program, as well as to define the follow up/evaluation of progress procedure, in addition to the Indicators.
 - RESPONSE: Baselines will be developed on a case by case basis. Border 2020 program progress will be addressed in the indicators reports.

- Add to Goal #2, “and Effluent”; Reason: Because the present title only pertains to “good” water while other forms also should be included.
 - RESPONSE: The title has been changed to include a broader definition: “Improve access to Clean and Safe water”

- Before the period add “, and the management and usage of treated waste water or effluent for various uses that does not require potable water.” Reason: Planning for efficient and effective uses of the products of a wastewater plant is as important as the resultant clean water. For example, the sludge can be sold and used for fuel to generate electricity that could be used to reduce costs of the wastewater treatment plant.
 - Response: Language has been revised to address treated waste water or effluents.

- Add new sub-objective to read: “Sub-objective 3e: Initial the development of a plan to monitor and understand the kinds and distribution of pharmaceutical contaminants in water systems that cross the boundary, and every two years, expand this plan to include additional monitoring processes and capabilities, based on improved technologies.” Reason: Pharmaceutical contaminants are causing risk and uncertainties to both human and wildlife uses of the water systems. A plan is needed that can sequentially develop a process to

establish the requisite facilities needed to monitor and process changes in these chemical concentrations in our local drinking water.

- RESPONSE: Waste pharmaceuticals are not addressed in the border 2020 program. However in the US, the EPA continues to assess the impact of waste pharmaceuticals in water streams and while the agency has issued guidance on the proper disposal of this waste stream, the authority to collect and properly dispose of pharmaceuticals at this time is led by the Drug Enforcement Administration through the Take Back program. The Take Back program is coordinated by the Drug Enforcement Agency nationwide in the United States.

➤ In regard to the first three goals of the Border 2020 Program, it may be helpful to readers to include a brief introductory paragraph on how these goals evolved from those of the Border 2012 Program that addressed pollution/contamination to land, air, and water resources. These were broadly stated goals within the context of Border 2012; and the progression of these goals to specifically address reduction in greenhouse gases, access to clean water, and materials management is significant. A brief statement on Border 2012 accomplishments on these three issues and how the new goals were developed and defined would be useful.

- RESPONSE: Language has been added to Goal 2.

GOAL 3: PROMOTE MATERIALS and WASTE MANAGEMENT and CLEAN SITES

The border region faces significant challenges that threaten our ability to achieve clean, sustainable communities. Waste management programs and services have not kept pace with regional needs and the current waste management structure is not adequate to meet these increasing needs. It is necessary to collaborate at all levels to ensure that limited resources are applied in a way that limits additional threats of land contamination and prevents adding to legacy land contamination in the region. Increasing trade and manufacturing in the border region has resulted in continued population growth and these industries should be engaged to ensure that they are an active part of the solution. Future regional success will be defined by those who shift from an end-of-life waste management to a sustainable materials management practice. Achieving sustainability in our future requires new solutions that can be explored through better tools such as life cycle analysis. Optimizing material design and packaging, making better use of natural resources, avoiding waste and toxic materials will result in more sustainable products. Improving collection to recover, reuse, and recycle materials will lessen or eliminate end-of-life discards that end up in landfills or indiscriminately dumped. Addressing these issues is more challenging given that they require a coordinated approach across environmental program sectors, both multi-level government and private. Over the next eight years and through biannual plans corresponding to specific objectives, the U.S. and Mexico will work collaboratively to address the following challenges:

- Lack of adequate planning programs in the US and Mexico establishing strategies to minimize waste, maximize collections systems, support secondary materials markets, and reduce overall disposal in landfills and open dumps,
- Limited knowledge and experience on how to apply a life cycle approach into existing international policies to implement sustainable materials management programs, Increasing amounts of U.S. and Mexican E-waste, used cars, household appliances, tires, organic matter predominantly imported into Mexico combined with inadequate infrastructure and services to manage discarded materials,
- Trash, especially plastic materials, eventually reaching shared waters contributing to marine debris,
- Lack of conditions favorable to secondary markets, especially when compounded by US-sourced used tires, cars, electronics, and household appliances, and
- Environmental, social, and economic impacts of contaminated sites and high remedial cost.

COMMENTS/RECOMMENDATIONS AND RESPONSES

- We suggest including recognition of the results of toxic and other waste resulting from illegal immigration and smuggling activities along the border.
 - RESPONSE: Documentation regarding federal, state, and local and tribal efforts to mitigate border trash impacts, track results, and available tools to facilitate government or volunteer cleanups, and participating partners are provided in the Arizona Department of Environmental Quality (ADEQ) Border Trash web page (www.azbordertrash.gov). Funding for ADEQ’s work has been provided by US EPA, US Bureau of Land Management (BLM), and the Border Environmental Cooperation Commission (BECC). This work has been coordinated with BLM’s successful Southern Arizona Partnership which EPA has partnered with for several years:-
([http://www.blm.gov/az/st/en/info/newsroom/undocumented aliens.html](http://www.blm.gov/az/st/en/info/newsroom/undocumented%20aliens.html)).
 - EPA also maintains a link to recognize the results of these efforts
(<http://www.epa.gov/Border2012/fora/waste-forum/illegaldump.html>).
- Within the Rio Grande portion of the border (and the same point would hold for the rest of the border as well), priority should be given to remediating sites which immediately threaten surface waters.

- RESPONSE: The remediation of contaminated sites are regulated and under the jurisdiction of the respective US and Mexico federal and state programs. Border 2020 compliments, but does not directly fund these efforts. Through its binational relationships, Border 2020 can, like it has under Border 2012, facilitate the exchange of information to address data gaps and improve the development of appropriate response efforts considered in each respective country on contaminated sites that have transboundary impacts to public health or the environment. Border 2020 anticipates supporting these projects by extending access to training or other capacity building efforts that support priority remedial efforts. Border 2020 will coordinate water and waste management efforts to prevent trash from reaching shared water bodies through community-based education and leadership development to improve understanding of issues and advocacy for improved infrastructure and public work services.

- Goal 3 strategies for tires are great. Hope you can get the resources to get them accomplished.
 - RESPONSE: Border 2020 strategy is to share knowledge from an extensive partnership network developed under Border 2012. Border 2020 plans to expand knowledge on application of proven or new technology, compliance assistance and enforcement, and educational outreach to prevent new scrap tire piles.

- Other efforts can include developing projects that improve collection of plastic bottles through public-private partnership programs and infrastructure investments in the border regional to avoid costly cleanup efforts. Is “infrastructure” really necessary here?
 - RESPONSE: Border 2020 will identify specific projects to address issues of collection in the two-year action plans.

- Transboundary shipments of lead-acid batteries from US to Mexico:

A large portion of the lead poisoning that occurs in the world is related with the manufacturing and recycling of lead acid batteries. In 2010, the U.S. exported more than 236,000 tons of used lead batteries to México, for recycling - 112% more than the previous year (2009). The increase may be the result of the reduction in allowable lead emissions by U.S. Air Quality Regulations in 2008 (to 0.15 ug/m³), while the standards in Mexico are still 1.5 ug/m³. Even though used lead acid batteries represent the biggest segment of hazardous waste exported to Mexico, we do not see this type of waste mentioned in the hazardous waste section of Goal 3. Besides, there is not a tracking system in place for this type of waste, and recent studies indicate that some of the cargo is diverted to non authorized recycling facilities. In a recent study conducted by the organizations OK International and Fronteras Comunes, named “Exporting Risks: Shipments of used lead acid batteries from the U.S. to Mexico take advantage of weak

environmental regulations and worker health³". We found that even the permitted lead battery recycling plants in Mexico have less stringent regulations than in the US, which represents a higher risk for the environment and workers' health. We think that Border 2020 should consider the impact that used lead acid battery imports from US to Mexico is inflicting in the border area.

Goal 3 considers the challenge with the increasing E-waste. However, in the above mentioned study we found out that the amount of lead exported from US to Mexico is twice the amount from used lead acid batteries than from lead contained in all of the E-waste shipped to Mexico. It is important to mention that used lead acid batteries are a priority hazardous waste stream and their management needs to be improved and reinforced.

- RESPONSE: The Secretariat of the Commission for Environmental Cooperation (CEC) began an independent examination into the environmental and public health issues associated with the transboundary movement of spent lead-acid batteries across North America. The results of public consultation among North America's battery recycling and related industries, communities, NGOs and specialists will be considered in the development of the report and recommendations.
- There is an additional reason to control e-waste, they have also an impact on electricity consumption at the residential and commercial sectors and hence contribute to GHGs emissions. The flow of cheap, highly inefficient electric equipment such as fridges or air conditioners from the USA to the border region is suspected to present an obstacle to the successful implementation of energy efficient programs in Mexico. Do please consider that a waste management strategy should include an electric equipment flow analysis accompanied with a Life Cycle Assessment, to begin with.
 - RESPONSE: Existing policies favor reuse before discarding equipment, in addition to better design to facilitate reuse of components and better collection and recycling. A life cycle analysis approach could inform policy decisions, such as what criteria are necessary to determine when to restrict reuse including restrictions on import/export of such equipment. The Commission for Environmental Cooperation is an appropriate institution to raise broad policy considerations related to import/export of electrical equipment that are identified by Border 2020 workgroups.
- Add drop off sites for scrap tires from trucks in order to reduce environmental waste. Scrap tires also can be converted to fuel. Add drop off sites for recycling of fresh produce packaging and other related waste. In the case of an environmental disaster that necessitates trans-border movement of equipment and personnel, the fresh produce industry may be able to help provide a coordinated response by loaning trucks, forklifts and warehouse space.

- RESPONSE: Border 2020 will identify specific projects to address issues of recycling, drop-off, and other waste issues in the two-year action plans.
- Objective 2: Scrap Tires: it is good that it mentions you are going to try to assist communities, however, it is not clear about the issue of contraband between the US and Mexico in terms of developing a preventive action in regards to a waste tax.
 - RESPONSE: As regulatory programs such as the one below continue to develop, sharing information on existing practices can at minimum inform the process in both the US and Mexico in areas such as commercialization, storage, recycling, import/export and associated contraband. The report “The Flow of Used and Waste Tires in the California-Mexico Border Region” prepared in 2009 by the California Integrated Waste Management Board (now Cal Recycle) provides a comprehensive assessment of the border region tire flow. While its focus is the California-Baja CA region, much of the discussion and recommendations related to regulatory, information, and training gaps apply to other border regions. Since passing the CA Recycling Act of 1989, CA has developed a comprehensive tire hauler and manifesting system and in 2003, Mexican tire haulers were required to obtain tire hauler registration as well. California collects a “disposal fee” from customers who purchase new or used tires in California to fund compliance assistance and enforcement efforts to comply with CA regulatory requirements for transport, storage, and so forth. In 2003, Mexico passed the General Law for the Prevention and Integral Management of Wastes (LPGIR) and its amendment in 2007, classifying scrap tires as a special management waste to be managed at the state or municipal level.
- This goal only addresses development of institutional waste management capacity and identification and promoting recycling. It does not allow for the waste removal activities of undocumented migrant (UDM) sites. This indiscriminate dumping is a major concern and priority for the Tohono Nation and other governmental institutions as well. (The Tohono Nation has collected for the past several years with the EPA Region 9 Office, ADEQ, and the Bureau of Land Management on the cleanup of hundreds of UDM sites in the Tohono lands. There is an on-going effort for clean-up of UDM sites. This successful collaboration needs to continue and adequate funding should be provided for this effort through the foreseeable future.)
 - RESPONSE: Trash dumped by migrants traveling through the Tohono O’odham Nation (TON) is a significant public health risk and natural resource management problem. The US Bureau of Land Management (BLM) and the US Environmental Protection Agency (EPA) have funded cleanups, but the lack of adequate resources continues to be a challenge. Improved coordination amongst federal, state, and tribal governments has contributed to better use of available resources among agencies. Increased homeland security efforts in the region

have also contributed to reducing the volumes of border trash. Arizona Dept of Environmental Quality (ADEQ) has developed a website to track and assess cleanup and other mitigation efforts and facilitate volunteer cleanups.

- Will this goal include the ability to conduct assessment, cleanups, and/or address safety concerns of abandoned mine sites? (There are many abandoned mine sites scattered within the Tohono Nation lands which either need assessment, cleanup activities or be fence off due to safety concerns)
 - RESPONSE: US EPA has programs to address the public health and environmental threat posed to many tribes. Assistance is provided either through Superfund or RCRA depending on regulatory criteria that apply to these abandoned mines. Border 2020 could serve as a forum to share information about abandoned mines, but specific responses would have to be addressed within these existing US programs. For additional information, please see: <http://www.epa.gov/aml/>.

- Lead poisoning is one of the most serious environmental health threats to children and a significant contributor of occupational disease. The World Health Organization (WHO) estimates that 120million people are over--exposed to lead (approximately three times the number infected by HIV/AIDS) and 99% of the most severely affected are in the developing world. Therefore we recommend that the priorities outlined in the draft program report be expanded to incorporate the following: Transboundary shipments of used lead batteries from the U.S. to Mexico: Much of the lead poisoning that occurs worldwide is related to the production and recycling of lead batteries. The priority waste streams mentioned in Goal 3 include e--waste, but we estimate that twice as much lead is exported to Mexico in used batteries than is in all the e--waste exported to all countries from the U.S. Therefore, it is important to specify used lead batteries as a specific priority hazardous waste stream for which management needs to be improved.
 - RESPONSE: The Secretariat of the Commission for Environmental Cooperation (CEC) began an independent examination into the environmental and public health issues associated with the transboundary movement of spent lead-acid batteries across North America. The results of public consultation among North America's battery recycling and related industries, communities, NGOs and specialists will be considered in the development of the report and recommendations. Border 2020 can also consider lead-acid batteries, but actual projects will be dependent on available resources.

- RMA suggests that an Ad hoc working committee be created, comprised of a representative from EPA, SEMARNAT, RMA and the Federal legislature in Mexico. This committee would meet and work together to draft proposed legislation and regulation

for scrap tires in Mexico. RMA also suggests the creation of Ad hoc market development committees, comprised of the abutting states in Mexico and the United States where discussion could be conducted on the mechanics of developing a cooperative program that would facilitate and enable the trans-boundary movement of scrap tires and scrap tire-derived products, as well as the development of market development programs.

- RESPONSE: The report “Assessing Scrap Tire Legislation in the US-Mexico Border States” prepared in April 2010 by Arizona State University summarizes existing legislation in all the border states and the areas it covers (e.g. manifesting, tire fee), but more work is needed to strengthen, cover, and clarify issues related to tire manifesting, permitting tire haulers, associated enforcement, and tire commercialization and development of scrap tire markets. In the US, most state legislation was passed over ten years ago and Mexico in the last five years. In 2005, the US EPA and SEMARNAT agreed that addressing scrap tire problems required integrated scrap tire management approach. In 2007, Mexico amended the General Law for the Prevention and Integral Management of Wastes (LGPGIR), promulgated in 2003, explicitly classifying scrap tires as a special management waste to be managed at the state or municipal level. Mexican states are promulgating laws in response to the federal law and creating consistency in regards to state and municipal authorities and responsibilities, particularly to correct inconsistency in practices. For example, in the last two years Baja California passed the Law for the Prevention and Integral Management of Wastes of Baja California (LGPGIRBC) which implicitly categorizes waste tires as a special waste and set scrap tire management as a state responsibility. As these regulatory programs continue to develop, sharing information on existing practices including the collection of fees and what programs these fees should fund can at minimum inform the process in both the US and Mexico.

➤ GOAL 3: MATERIALS MANAGEMENT AND CLEAN SITES

The use of the term “Materials” instead of “wastes” could lead to some confusion amongst stakeholders, maybe adding some wording explaining the use of the term “materials” could help. Regional and Border-wide Objectives:- Include as part of the objectives: To develop border wide or regional Generation Studies for the different waste streams and from there review existing collection/disposal practices and ways to improve it.

- RESPONSE: Border 2020 acknowledges that the term “material management” can be confusing but EPA is currently shifting focus away from end-of-life waste management and is implementing the new Sustainable Materials Management program that will focus on materials management. An explanation of this term can be included that materials management takes a life cycle analysis approach with the objective to minimize or avoid waste generation when creating,

packaging, and retiring products used in our society. Developing “waste” generation studies is an important step to inform the process of reducing waste. The program structure calls for the development of two-year Action Plans which are considered the most appropriate place to include details such as appropriate technical approach to achieve the sustainable materials management.

- Ojinaga has a very bad tire problem; immediate action needs to be taken to stop this problem. This should be done by the tire manufacturers and the state and federal governments.
 - RESPONSE: Border 2020 acknowledges that while much progress has been made through Border 2012 to address the scrap tire issues in border communities, that there are many communities that still have significant scrap tire management issues. EPA Region 6 continues to work with all border communities to improve scrap tire management and will continue this under the new Border 2020 and will focus on working with tire manufactures and all levels of government to produce sustainable environmental results.

- Please consider the following: adequate disposal sites for hazardous waste such as plastics from pesticides and farm chemicals.
 - RESPONSE: Compliance assistance and enforcement are still necessary to ensure that hazardous waste is properly managed. In the United States, pesticides and farm chemicals considered a solid waste that also meet the definition of a listed or characteristic hazardous waste (40 CFR §261.31, §261.32, or §261.33) must be managed at a RCRA hazardous waste permitted treatment, storage or disposal facility (40 CFR §260-265 and §266-70). Mexico’s General Law for Prevention and Integrated Waste Management also states that any solid waste that is defined as a hazardous waste must be managed at an appropriate hazardous waste management facility. We are aware that existing legacy pesticides and farm chemicals are still not properly managed. Border 2012 implemented farm chemical and pesticide cleanup in border communities.

- Priority for the county (Ojinaga) is: Collection/cleanup and disposition of solid waste. Our equipment is in bad shape and in need of replacement. Also our landfill is on the verge of filling up. Life of the landfill is about 3-4 year at the most.
 - RESPONSE: The Border 2020 sustainable materials management goal is proposed to build public awareness and strategic knowledge to make progress in this area. Resources for purchasing equipment and construction of landfills should be pursued through BECC and NADBANK amongst others. Progress in building new solid waste management facilities and services in the border region, has not kept pace with demand. The US and Mexico understand that

reducing waste is a strategy that will reduce the capacity necessary for existing or new landfills.

- Priority for the county (Ojinaga) is: 50,000 tires in the landfill need to be disposed of.
 - RESPONSE: Progress has been made in cleaning up the largest tire piles and some of the smaller tire piles in the border region, but scrap tire management needs have not kept pace with demand in all communities. Border 2020 recommends that communities express their needs, set priorities, and develop partnerships to manage any remaining legacy tire piles and build regional programs taking into consideration regional opportunities for scrap tire reuse through civil engineering, tire derived fuel, or other reuse applications, while also continuing to strengthen regulatory requirements for compliance assistance and enforcement.
- In Nuevo Laredo, thousands of tires were burned in spite of a lot of money spent in their proper management. In Reynosa burning of open dumps is happening due to a lack of prevention strategies or adequate waste management. In Valle Hermoso trash is still being burned even though there was an appropriation of more than US\$750,000 (from a NADB grant) for the construction of a sorting and waste transfer station. The initiative died when the administration changed over. There is not a tire management strategy in Matamoros, even though Border 2012 provided the equipment for that purpose (digger, turning truck and tires shredder). There is currently a fire risk in these tires piles.
 - RESPONSE: Please consider contacting the North American Development Bank (NADBANK) for a follow up of the grant awarded. Progress in developing scrap tire management needs have not kept pace with demand in all communities.
- Increase the number of local, state, and/or federal hazmat certified inspectors at ports of entry that accept waste, and develop the necessary memoranda of understanding to ensure real-time coordination between state and federal inspectors.
 - RESPONSE: Placing environmental inspectors in all border crossings where hazardous waste is imported continues to be a priority for EPA, but resources and limitations at ports of entry continue to be a concern. Of the three US border states where hazardous waste can be imported, only California's ports of entry restrict the days and times when hazardous waste can be imported into the US. These limits allow the state to efficiently schedule inspectors who working collaboratively with CBP to monitor compliance with US EPA hazardous waste import/export regulation and state regulations. Placing inspectors at the ports of entry in Arizona and Texas, has been a challenge due to adequate space for staging hazardous loads for inspection and heavy traffic flow in ports with inadequate lanes to keep traffic moving, an issue particularly aggravated with time-sensitive crossing of perishables goods. In the past few years, investments

have expanded lanes, easing traffic congestion and added new inspection technology. More recently, customs has automated import/export documentation. EPA is working with states to gain access to this documentation to assist in targeting inspections. These measures are not enough and EPA will continue to address ways to improve compliance and enforcement.

- Increase the effectiveness of border hazardous waste inspection and enforcement programs identifying potential violators, increasing safety, and making better use of available resources. Establish specific times for hazmat vehicle transit across appropriate ports of entry.
 - RESPONSE: Placing inspectors at the ports of entry in Arizona, has been a challenge for several reasons including: inadequate space for staging hazardous loads for inspection and traffic lanes to keep traffic moving, an issue particularly aggravated with heavy season traffic of time-sensitive perishables goods. In the past few years, investments have expanded lanes easing traffic congestion and provided better screening technology. More recently, customs has automated import/export documentation. That is accessible to states and could assist in targeting inspections. These measures are not a substitute for real-time inspections by trained hazardous materials specialist, but government agencies will continue to address ways to strengthen compliance and enforcement.

- Support efforts to create and maintain safe storage facilities for hazardous waste to accommodate increased demand.
 - RESPONSE: Both the US and Mexico advocate for minimizing hazardous waste in industry through improved operational and maintenance environmental management practices. Reducing hazardous waste generation will reduce the need for additional Treatment, Storage and Disposal (TSD) capacity in the first place. While there is adequate hazardous waste management capacity in the U.S., Mexico recognizes the need for additional TSD capacity. Border 2020 includes the “Consultative Mechanism”, a voluntary practice between the EPA and SEMARNAT to report any changes related to new or existing hazardous waste treatment, storage, or disposal facilities in the Border States. Through the Consultative Mechanism, Border 2020 expects to engage in any dialogue related to any proposed new facilities.

- Encourage binational dialogue to address indefinite storage of hazardous waste in Mexico, including remediation work at existing hazardous waste sites of concern. Encourage Mexican authorities to reform hazardous waste law so that finite and enforceable time limits are established for storage at generating, storage, recycling, transporter, and treatment facilities.

- RESPONSE: Opportunities for dialogue on these topics will be available through Border 2020 through the objectives that involve building institutional capacity to manage contaminated sites and information exchange through the Consultative Mechanism on the status of Treatment, Storage and Disposal Facilities (TSD).
- Provide more information via seminars, workshops, and other mechanisms to the maquiladora industry on hazardous waste handling and disposal rules to clarify documentation and processing requirements, and to enhance compliance with national and binational agreements.
 - RESPONSE: Through RCRA State Technical Assistance Grants administered by EPA and Border States have including hazardous waste compliance assistance capacity building activities targeted at the maquiladora industry so that they comply with import/export requirements. Under Border 2020, these outreach activities are expected to continue and will include topics such as universal wastes and non-hazardous solid waste such as plastics and paper, which are increasingly crossing borders for recycling.
- Provide federal resources for upgrading states' solid waste management infrastructure, including: recycling centers that process scrap tires, facilities such as crumb rubber processing plants that produce material that can be used in paving roads and highways throughout the border states (as is already being done in Arizona, Texas, and California) or as a substitute for gravel in playgrounds, and facilities that utilize tires as fuel replacement in cement kilns or to produce electrical energy.
 - RESPONSE: It is unclear to what extent funding to develop materials management recycling centers and other infrastructure will be available under Border 2020, but all efforts will be made to leverage resources to inform decisions related to infrastructure investments. For example, developing demonstration projects applying technology or practices in areas where it has not been used.
- Provide federal government support to tribes, private landowners, rural communities, state parks and protected areas, and federal land management agencies to address solid waste issues associated with undocumented crossings. New partnerships should be developed for the timely retrieval of undocumented migrant belongings left behind when individuals are apprehended by Border Patrol personnel.
 - RESPONSE: The US Bureau of Land Management (BLM) and the US Environmental Protection Agency (EPA) have funded cleanups, but the lack of adequate resources continues to be a challenge. Improved coordination amongst federal, state, and tribal governments has contributed to better use of available resources among agencies. While it is unclear to what extent the economic downturn has contributed to reducing human traffic into the US, increased deterrence efforts by US Homeland Security in the region have contributed to reducing human traffic and thus declines

in the volumes of border trash. Arizona Dept of Environmental Quality (ADEQ) has also developed a website to track cleanups to inform agencies on their results and facilitate volunteer cleanups.

- Facilitate the development and operation of binational markets in recyclables.
 - RESPONSE: Border 2020 expects to facilitate the development and operation of binational markets in recyclables. For example, Border 2020 can improve knowledge about evolving practices in the field of sustainable materials management, develop demonstration projects on best practices related to recycling, and help define sound investment needs in institutional capacity and infrastructure needs.

- Coordinate with U.S. state and Mexican agencies to develop a banned pesticide inventory and a sustainable mechanism to collect unwanted agricultural pesticides from the border region. Determine if pesticides are being unlawfully brought across the border (in both directions), and if so, identify the source of this activity and develop possible solutions. Identify the highest risk agricultural pesticides being used in the border region, and encourage the transition to reduced-risk pesticides through outreach and demonstration.
 - RESPONSE: EPA is expanding efforts to train to vulnerable communities on human health risks associated with pesticide exposure and safe handling to minimize exposure. Border 2020 will provide opportunities to share information on best practices related to pesticide handling, alternatives to pesticide use, and ways to transition to practices to reduce or eliminate exposure through binational outreach and demonstration projects.

- Objectives 1, 2 and 3: These are nicely worded but do not have any performance measures, such as the percentage of recycling capacity that will be developed. Lines 774-775: this objective suggests there is no trash collection or recycling along the border. Change to “by 2020, increase institutional waste management capacity in material recovery and recycling, starting with e-waste, plastics and trash”. Line 789-790: the way this objective is worded it suggest there is no recycling along the border, when in fact; many border cities on both sides of the border have recycling capacity.
 - RESPONSE: Border 2020 Goal 3 objectives are meant to be broad. Two year actions plans will include more specific projects and activities along with applicable performance measures. We agree that most if not all border communities have some recycling and can revise the text to reflect that Border 2020 intends to work on increasing sustainable materials capacity above what already is in place.

Goal 4¹: IMPROVE ENVIRONMENTAL AND PUBLIC HEALTH THROUGH CHEMICAL SAFETY

Update of Goal Status: After further negotiations with Mexico this goal has been rewritten as a Fundamental Strategy (number 5). Environmental health continues to be a priority for the Border Program and as such we will continue to address it. Although the Goal no longer exists we have taken the time to address your comments below and have taken them into consideration as we wrote the Fundamental Strategy. Projects or work towards the implementation of safer alternatives and strategies to promote environmental health will be accomplished thru the regional task forces.

Since the signing of the North American Free Trade Agreement, the U.S. – Mexico border region is bustling with a growing and transient population, diverse industry, and agriculture. This quick growth has placed increased burdens on public health and the environment along the border. Residents, many of them young families with children, workers, and tribal communities, are exposed to a variety of chemical hazards in the home, school, and workplace. Programs that increase awareness and offer safer alternatives and practices to improve human health and the environment are addressed under Goal 4 of the Border 2020 Program.

COMMENTS/RECOMMENDATIONS AND RESPONSES

- Strengthen Goal #4 (Improving Environmental Health) by specifying environmental contaminants of concern. This goal currently only identifies pesticides as a specific environmental health issue, while the other issues (air pollution, drinking water contaminants, and toxic chemicals) are more generally named. This does not reflect current Border environmental health knowledge that pinpoints specific pollutants. Emerging contaminants should be included, especially when scientific evidence is highlighting flame retardants, endocrine disruptors, semiconductor/nano waste, pharmaceuticals, antimicrobials, and 1,4 dioxane. Also, the theme of metals being transported via dust should be included since evidence is indicating a higher risk generated via this route of exposure.
 - RESPONSE: Border 2020 supports efforts to develop products and processes that eliminate hazardous substances (<http://www.epa.gov/greenchemistry/>) and raising public awareness about these risks. This emerging practice, also referred to as sustainable chemistry, is leading to new initiatives and partnerships, for example, California's Green Chemistry Program. Exposure to metals through fugitive dust emissions, particularly from mining or smelting operations, is also a concern. Resources to support Border 2020 will be a challenge to support these efforts, but border communities can identify priorities through the two-year

¹ Goal 4, as written in the Draft Border 2020 Program, no longer exists. See comments above, in the update of goal status.

Action Plans and leverage tools from existing EPA programs to support outreach and capacity building needs in border communities.

- This goal should be considered to be a part of Goal 3 and 4 because these are forms of solid wastes, specifically invasive pesticides, should also be considered as part of re-collection centers and the problem of children's health should be the final answer.
 - RESPONSE: Limited resources prevent Border 2020 from focusing on this issue. Deleted as a goal.
- A partnership of relevant institutions including EPA, SEMARNAT, CDC, and Comisión Federal para la Protección de Riesgos Sanitarios is crucial for the success of goal 4.
 - RESPONSE: These partners will be invited to participate in the Regional Task Forces where projects in this area can be defined.
- Goal 4 approaches the issue of chemical safety and the exposure to hazardous materials to children in the home and in schools. The focus seems to be mostly in the use of pesticides in agriculture while heavy metals such as lead are rarely mentioned. Considering that lead poisoning is one of the major threats to children's health, worldwide, there is the need to prioritize addressing this problem not only at home but at schools as well.
 - RESPONSE: The Fundamental Strategy encourages strategies that could incorporate lead poisoning of children.
- Goal 4, Objective 2 addresses the importance of reducing exposure to hazardous chemical such as lead, but it does not put enough emphasis on the risks associated with lead around the home. Objective 2 should include a regional sub objective related to the elimination of lead based paint in paintings, glass ceramics, and pottery, as well as other household items. Overall, any effort related with lead exposure must start with a call to eliminate the differences between the U.S. and Mexican standards related to industrial lead emissions to the environment.
 - RESPONSE: Border 2020 will coordinate with regulatory agencies to address Industrial lead emissions along the border.
- Goal 4, Objective 3 refers to the training of health providers, professionals, doctors and/or promotoras in the identification and disclosure of poisonings and diseases related to pesticide exposure. It is crucial that this objective call for the training of health providers and their ability to identify lead poisoning and to report information on this issue. Even though there is evidence that the blood lead levels are higher in Mexican children than in the US, very few Mexican children are being monitored to

detect it. Mexican children deserve the same level of protection against lead poisoning as the children in the U.S.

- RESPONSE: The Fundamental Strategy encourages strategies that could incorporate outreach and training for health care providers, and will encourage lead testing and other heavy metal poisonings in children.
- Goal 4 addresses the issue of chemical safety in the environment and hazardous chemical exposures to children around the home and in schools. The focus seems to be mainly on pesticide use in agriculture, while lead and other heavy metals are only mentioned briefly. Given that lead poisoning is one of the most serious environmental health threats to children worldwide, there is a definite need to prioritize this exposure in addressing exposures around homes and schools.
 - RESPONSE: The Fundamental Strategy encourages strategies that could incorporate lead poisoning of children.
- Changes to Objectives have been included in BOLD type. All proposed Sub-Objectives are new and do not recommend changes to the previous Sub-objectives.
Goal 4: IMPROVE ENVIRONMENTAL AND PUBLIC HEALTH BY USING “ONE HEALTH” PRINCIPLES TO MITIGATE INFECTIOUS AND CHEMICAL DISEASE THREATS DUE TO ENVIRONMENTAL DEGRADATION.

“One Health” is the growing understanding that human, animal and environmental health are inextricably linked and that finding real and lasting solutions to a wide range of health problems requires a truly innovative and collaborative approach that bridges these disciplines. Since the signing of the North American Free Trade Agreement, the U.S.-Mexico border region is bustling with a growing and transient population, diverse industries, and agriculture. This quick growth has placed increased burdens on public health, animal health and the environment along the border. Residents, many of them young families with children, workers and tribal communities, are exposed to a degraded and polluted environment that leaves them at increased risk for diseases, including zoonotic vector-borne diseases and chemical hazards in the home, school, neighborhood and workplace. Programs that detect environmental-origin health threats and offer safer alternatives and preventative and predictive tools will help to increase awareness and improve human health and the environment. These factors are addressed under Goal 4 of the Border 2020 program.

Objective 1: By 2020, reduce unwanted, obsolete, and abandoned agricultural, industrial and home chemicals and empty chemical containers in the border region.

- Sub-Objective 1b. Decrease the amount of invertebrate and mammalian disease vectors (such as mosquitoes, ticks and rodents) and their associated zoonotic pathogens that utilize empty containers for shelter and breeding. Develop vector and environmental testing systems and disease analysis programs in the border region to

monitor the status of vector borne diseases in high risk areas in order to protect public health.

Objective 2: By 2020, reduce exposure to hazardous chemicals and vector-borne diseases, pesticides, heavy metals (i.e., lead & mercury), and asthma triggers in and around the home, in schools, in the neighborhood and in agriculture.

Sub-objective 2d: Develop regional disease surveillance, diagnostic and forecasting systems that are enhanced by environmental analysis to define population and disease transmission dynamics as well as pesticide and/or rodenticide exposure and resistance. By 2020, develop and implement programs based on this information to intervene and protect human health and safety.

Objective 3: Train health care providers, practitioners, veterinarians, physicians, and/or promotoras to recognize and report pesticide-related illnesses, pesticide poisoning and vector borne diseases in animals and humans.

Under the Border 2012 program, a binational protocol for reporting pesticide illnesses was successfully developed to facilitate communication between Mexicali and Imperial County on pesticide illness surveillance. Healthcare provider training as well as outreach and education to farm workers in this part of the border was delivered to raise awareness of pesticide illness and unsafe working conditions. Building from this success, under the next border plan, the binational surveillance program and health care provider training would be expanded to other regions within the border and include vector-borne diseases which could affect farm workers. Further outreach and education to farm workers, animal owners and veterinarians to be aware of the signs and symptoms of pesticide-related illnesses and vector-borne diseases will help to expand the early detection of exposures and prevent additional cases utilizing One Health concepts.

- RESPONSE: The relationship between human, animal and environmental health linkages are not within the purview of the Border 2020 program. While this integrated approach is ideal, limited resources prevent Border 2020 from focusing on this issue.
- The Tohono Nation appreciates that this goal is included in this document. The Tohono Nation understands that this goal represents only the US Stakeholders and would also like an opportunity to review and provide comments when the Mexico Stakeholders provide input to this goal. This objective only addresses education and training: Recommendation to include the chemical clean-up activities in schools.
 - RESPONSE: Due to limited resources Border 2020 cannot fund pilot projects such as these and it is up to the local school districts to implement these projects in their own regions

- Goal 4: IMPROVE ENVIRONMENTAL AND PUBLIC HEALTH THOROUGH CHEMICAL SAFETY--
Because this is such an important and transversal objective it should involve the description of a comprehensive strategy on Environmental Health. This could include: a Border inventory of pollution related diseases and their prevalence in border communities, definition of the main EH indicators, procedures for data collection/verification. Definition of a procedure to assess EH impacts of the different B2020 projects, including identification of baseline conditions along border communities, trend analysis, etc.
 - RESPONSE: Limited resources prevent Border 2020 from focusing on this issue.

- Objective 1: By 2020, reduce unwanted, obsolete, and abandoned agricultural chemicals and empty chemical containers in the border region. Shouldn't this objective be part of Goal 3. In relation to EH something like an epidemiological survey to determine prevalence of pesticide-related disease and other multimedia pollutants related diseases in Border rural areas could provide the justification for this objective.
 - RESPONSE: Limited resources prevent Border 2020 from focusing on this issue. Deleted as a goal.

- Sub-objective 2b: IPM programs although successful in the US are not directly applicable in Mexico; further discussion is required to define this sub-objective.
 - RESPONSE: Border 2020 will work to identify the best strategies to address IPM in border communities.

- Objective 3: This is a good approach, however EH problems are not limited to pesticides, there is a need to develop Environmental Health Impact assessment on a number of issues along the border, develop binational epidemiological databases and promote surveys that provide information on actual health issues that may require attention.
 - RESPONSE: Due to limited resources, extensive epidemiological studies, impact assessments and surveys are not possible through this program.

- Develop metrics of vulnerability based on readily available information that could be used for both screening purposes and as measures of impact/progress of intervention programs. Such metrics should respond to the most pressing health risks affecting the border populations, and should account for the cumulative environmental impact of pollutants, socioeconomically disparities, and cultural and educational stressors. A successful vulnerability assessment protocol could inform the Border 2020 stakeholders by identifying the most vulnerable communities within the region and by providing a comprehensive characterization of those communities such that effective intervention programs can be tailored and appropriate metrics of progress defined.

- RESPONSE: Due to limited resources, extensive epidemiological studies, impact assessments and surveys/inventories are not possible through this program.
- A corresponding task force should be responsible of documenting and maintaining an updated account of the vulnerable communities, the associated risks, and the progress of the intervention programs through the duration of the Border 2020 program. Given the multi-institutional interest on the region’s environmental health concerns it is imperative that a corresponding task force, which interacts across institutions, is trusted with the responsibility of preserving the focus of and informing the regional efforts towards the achievement of the Border 2020 agenda.
 - RESPONSE: EPA utilizes the latest peer-reviewed research from both countries in considering appropriate projects/actions. This may be done at a local level, by task forces, on an informal basis since there is no funding to maintain this type of information.
- Additional to the sub-goals already presented by COFEPRIS. I suggest the identification of high risks areas based on the availability of these substances. Again the identification of populations at risk is critical for the effective allocation of resources aimed at the protection of the border’s population. Please note that the task of characterizing the border region in terms of environmentally induced impacts and the identification of the communities at greater risk is a recurrent suggestion. This is because, I think that the effectiveness of the Border 2020 agenda will be enhanced by a comprehensive understanding of the most pressing risks, the identification of vulnerable populations, and the formulation of strategic interventions tailored specifically to address those risks in those populations.
 - RESPONSE: Due to limited resources, extensive studies, assessments and surveys/inventories are not possible through this program.
- Please include that there be no use of herbicides (chemicals) inside the Rio Bravo and its tributaries boundaries.
 - RESPONSE: The Border 2020 Program has no authority to restrict herbicide uses.
- Please consider the following: Creation of an environmental Education center and training for environmental teachers.
 - RESPONSE: Resource constraints prevent Border 2020 from creating environmental education centers.
- This goal should be consider under goal 3 and 5 since the plastic containers from the pesticides are solid waste, and we should consider their final disposition.

- RESPONSE: Limited resources prevent Border 2020 from focusing on this issue. Deleted as a goal.
- Objective 1 suggests collection of used agricultural containers is not being done, whereas in Texas, it has been done since at least 1993; other US states also likely have similar programs. Reword the language accordingly.
 - RESPONSE: Border 2020 is a Binational Program so this task would apply to other states that are not doing the effort.
- Texas AgriLife Extension has had ongoing programs for more than 10 years that works statewide with schools on integrated pesticides management (IPM). IPM has been mandated in Texas schools since the mid-1990s, so the border region has already gone beyond a “pilot program”. The language of sub-objective 2b should be re-worded accordingly.
 - RESPONSE: Strategy has been kept as is since it may apply to other parts of the border region. Border 2020 will work to identify the best strategies to address IPM in border communities.
- It's important to set baselines for each of the G & O of the program, as well as to define the follow up/evaluation of progress procedure, in addition to the Indicators.
 - RESPONSE: Border 2020 program progress will be addressed in the indicators reports.

Goal 5: ENHANCE JOINT PREPAREDNESS FOR ENVIRONMENTAL RESPONSE

Annex II of the 1983 La Paz agreement establishes cooperative measures for preparing and responding to oil and hazardous substance incidents along the Mexico-United States (U.S.) inland border. The La Paz Agreement also requires a Joint Contingency Plan (JCP) which was developed in 1988, signed in 1999. An updated version was finalized and signed in 2008. The Mexico-U.S. JCP has provided the foundation for the 15 Sister Cities Bi-national Emergency Response Plans that have been developed over the last several years. The Emergency Preparedness and Response workgroup is co-chaired by U.S. EPA’s Office of Emergency Management (OEM), Mexico’s Procuraduría Federal de Protección al Ambiente (PROFEPA-Office of the Federal Attorney General for Environmental Protection), and Secretaria de Gobernación, Dirección General de Protección Civil (Mexico’s Office of Civil Protection).

The Joint Response Team (JRT), another La Paz Agreement requirement, is also co-chaired by Mexico's PROFEPA, Protección Civil, and U.S. EPA's OEM. Additional JRT partners include representatives from other U.S. and Mexican federal agencies, including state, Tribal and local offices responsible for emergency prevention, preparedness, and response in the border area. The workgroup essentially functions as the steering committee of the Joint Response Team (JRT). The work of the JRT is supported by a robust system for the binational notification of emergency response incidents, drills, and threats; local Emergency Response Plans developed jointly by sister cities along the border; certified training courses; and analyses of potential risks in the border region.

Both countries have increased coordination with their states, local and federal partners and thanks to this collaboration many of the millions of residents within the border region will now benefit from improved training, state-of-the-art equipment, and enhanced emergency response capabilities of our partners. These projects fulfill numerous U.S. and Mexican objectives, the U.S./Mexico Border 2012 goal to "Enhance Joint Readiness for Environmental Response," and the Mexico Federal Civil Protection Five Year Plan to design and implement prevention activities and build response capacity. In addition, EPA, PROFEPA and Protección Civil agreed to jointly enhance border notification and agency communication protocols to expand the participation of all stakeholders in the Policy Forum and Task Force proposed events.

COMMENTS/RECOMMENDATIONS AND RESPONSES

- Expand the participation of all stakeholders in the workgroups events.
 - RESPONSE: Wording has been added to the introduction of Goal 5. Efforts will be focused at regional workgroups and task force level.

- Actively include the US HHS and other state and local stakeholders to collaborate in continuing update of the JCP.
 - RESPONSE: The JCP is a US-Mexico national level instrument with specific federal authorities. Border 2020 encourages all state and local stakeholders to participate, at the local level, in the revision/update process of the local Sister City Plans.

- Objective 3: Perhaps this objective should be somehow incorporated within each of the goals as an appropriate link in order to reach the communities and other sectors.
 - RESPONSE: Border 2020 encourages capacity building in all of its program goals.

- The Bureau of Land Management collaborates with partners, including Mexican Government, on fighting wild land fires along the border. While these can be caused by lightning or other natural causes, many of them are started by warming or distraction fires set by illegal border crossers.
 - RESPONSE: Border 2020 acknowledges the existing partnership between BLM and other stakeholders.

- How will the Joint Response Team determine which 8 of the 16 U.S-Mexico border sister cities will update their joint contingency plans? What criteria will be utilized to determine priority cities?
 - RESPONSE: Sister City Agreements will be updated based on available resources and on; date of last revision; population; number of chemical facilities; volumes of chemicals in transportation; and numbers of hazardous materials releases.

- Regarding Goal 5: Enhance Joint Preparedness for Environmental Response: Objectives specified within Goal 5 appear to pertain only to response planning for oil and hazardous substance incidents along the U.S.-Mexico border, as established by Annex II of the 1983 La Paz Agreement. This fails to reflect the need for response planning for natural disaster events such as floods. The border region of Las Cruces, New Mexico; El Paso, Texas; and Ciudad Juarez, Mexico, experienced severe flood conditions in 2006, which were caused by a brief yet impactful monsoonal rainfall event. Urban and rural locations in our region experienced devastating effects that took years to remedy, and some issues remain to be addressed. Given the hydrologic uncertainty and potential for extreme weather due to persistent La Niña conditions, it is recommended that a response strategy for natural disasters, including the protection of chemical/hazardous substances that may be impacted by flooding, be addressed with a binational strategy in an effort to protect human welfare in our border region. Partners would include the U.S. International Boundary and Water Commission, the U.S. Department of Interior, state government representatives, and local water management organizations that address storm water (such as cities and counties that incorporate this issue through emergency planning). For instance, a large chemical supplier in the region stores product some distance above the ground in case floodwaters come into contact with the facility in order to protect water quality.
 - RESPONSE: There is no US authority to address natural disasters within the context of the JRT. The Goal 5 Policy Forum will encourage all hazards planning (such as natural disasters/floods) at the local level, and encourage participation by NGOs, Industry, and Private sector organizations in local planning efforts (EPCRA addresses this).

- Environmental disaster preparedness and response efforts need to consider and address animal issues at this point. From previous disasters we have learned that many animal owners will not evacuate an area if they cannot take their animals with them.

- RESPONSE: There is no US authority to address animal issues and natural disasters within the context of the JRT.
- Address the issue of Natural Disasters in the binational plans.
 - RESPONSE: There is no US authority to address natural disasters within the context of the JRT. The Goal 5 Policy Forum will encourage all hazards planning (such as natural disasters/floods) at the local level, and encourage participation by NGOs, Industry, and Private sector organizations in local planning efforts (EPCRA addresses this).
- It was suggested that this goal promote the tribal participation because tribes can create their own programs for emergency response. Viejas tribe has started to do that. This goal limits the ability to work because of the laws and regulations of respective countries between Mexico and the U.S.
 - RESPONSE: Tribal governments have been encouraged to participate in planning/task force meetings and in the development of response plans. The Tohono O’odham, Ysleta del Sur, and the Kickapoo Traditional Tribe of Texas are examples of tribes that have participated in tri-national sister city planning and various tri-national exercises.
- Change to “eight or more” instead of 50%. Earlier, only 15 cities are listed as sister-cities, so to lessen confusion, change the eight to eight or more. Objective 3 and 4: again, as with previous objectives, these are not worded as performance goals and require specificity.
 - RESPONSE: Wording has been revised according to comment. Objectives 3 and 4 are not meant to be performance based.

Goal 6: ENHANCE COMPLIANCE ASSURANCE AND ENVIRONMENTAL STEWARDSHIP

Environmental stewardship compliance assurance and enforcement efforts are essential in any successful environmental regulatory program. Achieving these goals is made more difficult in a transboundary context, such as the US-Mexico border, where laws and requirements may be significantly different and the ability to exercise domestic enforcement authority across a national border is limited. Despite this, both the United States and Mexico share a common goal of ensuring compliance with environmental laws at the border. For this reason, policing the movement of waste, and especially hazardous waste, across the border is a high priority for the Border 2020 Program. For instance, it is important for inspectors to understand the patterns of movement of hazardous waste along

each side of the border and across the border at the ports of entry, and how that waste is ultimately disposed of or treated, and the Border 2020 program will seek to promote this important information sharing.

The rapid industrial growth along the border region from maquiladoras, their suppliers, and other industries also presents concerns regarding environmental impact of this growing industrial base while at the same time presenting an opportunity to better engage them to promote greener business practices. To this end, the United States and Mexico are committed to supporting the development of environmental stewardship recognition programs, where appropriate, and extend them throughout the border region. In addition, additional focus under Border 2020 will be placed on public education, outreach, and information dissemination to help citizens and companies better understand and comply with environmental laws and adopt more environmentally friendly practices, such as local public cleanup campaigns for polluted areas along the border and environmental self-audit programs.

COMMENTS/RECOMMENDATIONS AND RESPONSES

- Though the plan mentions air and water quality and general environmental stewardship, it ignores the severe environmental damage being done by construction of border fencing and walls on our southern border, and the potential for future damage on both our northern and southern borders. The haphazard waivers of environmental laws have included not only NEPA and the Endangered Species Act, but also the Clean Air and Safe Drinking Water acts. I call this to your attention and urge you to consider these severe impacts in Border 2020.
 - RESPONSE: The Department of Homeland Security (DHS), which is responsible for border walls and fencing, is committed to integrating environmental considerations into their mission planning and project decision-making. As you may be aware, Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) granted the Secretary of Homeland Security the authority to waive certain environmental and land management laws in order to facilitate the expeditious construction of additional pedestrian and vehicle fence, towers, sensors, cameras, detection equipment, and roads in the vicinity of the border, and in 2008, the Secretary exercised that authority. Recently EPA has been in discussions through the Commission for Environmental Quality (CEQ) to address the Environmental issues related to the construction of the border fence.
- RETC is not currently an effective means to identify polluters. Goal 6 addresses the issue of compliance assurance and Objective 1 under this goal suggests that TRI and RETC data can

be used to identify polluters in an effort to ensure compliance. However, RETC cannot be relied upon to identify polluters in Mexico. Only nine of 21 authorized lead battery recycling plants reported lead emissions under RETC between 2006 and 2008, and the quantities reported were not always reliable. Before RETC can be used to meet the goals of Border 2020 program, full compliance with the reporting requirements of RETC must be achieved in Mexico.

- RESPONSE: There are differences and similarities between Mexico’s Registro de Emisiones y Transferencia de Contaminantes (RETC) and the US’s Toxic Release Inventory (TRI). Border 2020 plans to focus on the registry systems’ common goals and practices to better utilize the available tools. TRI, developed under the Pollution Prevention Act in 1990 as part of the 1986 Emergency Planning and Community Right-to-Know Act (EPCRA), is designed to improve public access to information on toxic substances and avoid passive or accidental chemical releases. Over the past 22 years, it has also become a relatively reliable source of public information to first responders (www.epa.gov/tri/triprogram/whatis.htm). RETC, developed in 2004 through Article 109 of the General Law of Ecological Balance and Environmental Protection and the RETC regulation, similarly has an emergency preparedness and prevention component, as well as, pollution prevention aspect. The RETC system was not publicly available until 2006: (see www.semarnat.gob.mx/TEMAS/GESTIONAMBIENTAL/CALIDADDELAIRE/Paginas/retc.aspx). TRI requires reporting from many facilities that are smaller than the minimum size facility required to report to RETC, so it is difficult to make an even comparison. The RETC program is still relatively new, and we expect that the RETC system will strengthen and increase in its reliability as the tool it was intended to serve. While we recognize that improved compliance with both TRI and RETC is a shared goal of both the United States and Mexico, the fact that all covered facilities may not be currently reporting does not negate the usefulness of sharing the information contained in these databases as it currently exists.
- While it may not be feasible to incorporate into the Border 2020 framework explicitly, for reasons of diplomacy and/or bureaucracy, the fifth "fundamental strategy"--strengthening intergovernmental partnerships--provides an adequate basis for EPA to establish or strengthen institutional relationships with relevant federal public safety/law enforcement agencies such as CBP and ICE (DHS), as well as state law enforcement agencies such as Texas DPS. This consideration could be incorporated with an amendment to Goal #6, which might expand the scope of Border-wide Objective 1 and Objective 2, or else constitute a third objective at each of the two levels. Incorporating sufficiently general wording in the framework would allow SEMARNAT necessary discretion to pursue the actions most appropriate to evolving realities on the Mexican side, if it is not feasible or beneficial to take a course of action that mirrors that on the U.S. side.

- RESPONSE: Enforcement of environmental laws and regulations are in the preview of SEMARNAT. Border 2020 expects to continue the practice of holding joint task force meetings with representatives from among each of the goals, as well as, alternate the locations of the meetings between the US and Mexico border cities. This will promote access to diverse agencies, as well as, other participants. This has been achieved through the joint Goal 3/Goal 6 Waste and Enforcement Task Force has meetings over the past 15 years in the border region. US Customs and Border Protection (CBP), as well as customs officials from Mexico, are regular participants in these Task Force meetings. We expect that various federal and state agencies will coordinate directly or indirectly with Border 2020.
- Objective 4 from Goal 3 should also be included in this Goal. This one is geared towards hazardous waste. (Goal 3 page 23, line 938-940)

“Objective 4: On an annual basis, implement the binational Consultative Mechanism on sharing information on border area hazardous waste facilities. The Consultative Mechanism is a binational notification mechanism which has been in practice for more than a decade. It is being included as a priority under Border 2020 to affirm its value to both countries and interest in maintaining this notification mechanism. The only change is that the notification will occur once per year, given that changes in the status of hazardous waste management facilities on the border are typically limited and thus two notifications per year are considered unnecessary.”

 - RESPONSE: The Consultative Mechanism is included in Goal 3 since it is focused specifically on hazardous waste facilities, and hazardous waste is addressed directly in Goal 3. Nonetheless, through Borderwide Objective 1, Goal 6 does recognize the importance of information sharing. US EPA and SEMARNAT will continue to coordinate on the Consultative Mechanism and associated follow up.
- Co-chairs should be representatives from agencies in-charge of Compliance in each country. This can help with exchange of information and follow up of specific projects.
 - RESPONSE: There is consensus that the respective federal and state agencies responsible for compliance and enforcement in each country should serve as the co-chairs of the Compliance and Enforcement Policy fora and the Goal 6 Task Forces under the Border 2020 Program.
- Goal 6, page 27, line 1082, 1083:- Change “inspector’s word for agencies in-charge of border hazardous waste movement (This is regarding objective 1 under goal 6, where we have to make the change); Eliminate customs official words. (This is objective 1 under goal 6, where we need to make the change).

- RESPONSE: We agree that we need to substitute the word “agencies” for “inspectors and remove the word “customs”.
- Can we include in this Goal import and export of wildlife?
 - RESPONSE: The Border 2020 is not considered the most appropriate program for covering the needs associated with the import and export of wildlife. There are existing US and Mexican Regulatory Agencies that are responsible for enforcing Import and Export laws regarding wildlife. In the United States, US Customs and Border Protection has responsibility to enforce import and export laws including the protection of wildlife governed by the Convention on International Trade on Endangered Species (CITES) :- (https://help.cbp.gov/app/answers/detail/a_id/64/~endangered-species,-cites,-endangered-wildlife,-plants,-exotic-skins-and-animals). While, Customs and Border Protection (CBP) has responsibility for enforcing CITES, they rely on support from US Fish & Wildlife Service (animals), US Department of Agriculture (plants), and US EPA when applicable.
- Advance the development of detection and monitoring technology or analytical infrastructure that would allow us to reach a standards data base of substances included in RETC and TRI. This would allow for commonality between both databases.
 - RESPONSE: Border 2020 has limited funding to invest in infrastructure needs, but recommendations to address institutional development associated with the use of these technologies could be considered.
- All projects under this goal should include an environmental impact assessment – showing any negative impact to the other country.
 - RESPONSE: While we do not anticipate the construction of any projects under Goal 6 of the Border 2020 plan, EPA will work with other federal agencies to ensure that the appropriate environmental impact assessment are conducted.
- RETC is not an effective tool to detect polluters. Goal 6 addresses environmental stewardship through compliance and enforcement and Objective # 1, suggests the use of TRI and RETC to identify pollutants and to ensure compliance reporting. However, RETC cannot just identify the pollutants in Mexico. In a Fronteras Comunes and OK International study, it was found that for the period 2006 to 2008, only 9 out of 21 permitted used lead acid battery recycling plants reported their emissions to RETC, and the data reported is not always reliable. Before the RETC is used in the Border 2020 goals, there must be more comprehensive reporting compliance in RETC.
 - RESPONSE: We recognize that there are differences between Mexico’s Registry for Emissions and Transfer of Contaminants (RETC) and the US Toxic Release

Inventory (TRI). The tri-national Commission for Environmental Cooperation addresses the common goals and work to improve reporting.

- Add the following new sentence: “One way to increase businesses and government entities understanding and implementation of effective environmental management practices is for such organizations to implement ISO 14001, “Environmental Management. Every two years a survey will be made of how much organization are ISO 14001 compliant and incentives developed to encourage high levels of participation in this program. Sponsorship of ISO 14001 workshops, training and conferences should be encouraged.” Reason: One of the easiest ways to have considerations of the environment as a routine way of doing business is to establish an ISO 14001 compliant program. This will self-generate use of ways to ensure business processes are performed in a manner that will not harm, and in most cases, benefit the environment. Without ISO 14001, local compliance with environmental management processes will be by the “hit or miss” technique.
 - RESPONSE: ISO 14001 is an effective means to implement an environmental management system that can help ensure compliance. Border 2012 considered ways, through surveys or databases, to see which border facilities may be ISO 14001 certified, and have conducted numerous workshops to promote environmental management systems. While these efforts are important, Border 2020 is unable to commit the resources to include this in Goal 6 at this time.
- There has not been an environmental review, in the US, an Environmental Impact Statement (EIS) or Environmental Assessment (EA) of the parts of the International Border when law enforcement actions, in the terms of new facilities, have been assessed. On both sides of the border, understanding where sensitive environmental impact areas are located could facilitate law enforcement access to border areas. The routine facilities needed by law enforcement include roads, communications and lookout towers, and remote sensors. At present, every time any of these or similar facilities are determined to be necessary, a long environmental review process may be required. The federal government has conducted several multi-state Programmatic Environmental Impact Statements (PEIS) for utility corridors and solar facilities on federal lands in the 15 western states. The result of a PEIS would be equivalent of a pre-approval for areas that are not sensitive to certain, if not all, kinds of facilities needed for law enforcement. This would greatly reduce the time needed to construct and build these facilities. It is proposed that a two-mile wide corridor, with the border in the middle, be the action area for a PEIS from San Diego to Brownsville. Both sides will be included in this one PEIS and its use will be for law enforcement facilities in both countries. Based on the large PEIS above, this probably should not take more than two or three years, about the time it now takes just for one facility. Reason: The resultant PEIS document would provide in one place a vast amount of environmental information that can be used by many other organizations than border-oriented law enforcement.

The benefits of such a survey will make the cost and time required minimal compared to the results.

– RESPONSE: The Department of Homeland Security, which is responsible for border walls and fencing, and integration of environmental considerations into their mission planning and project decision-making. Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) granted the Secretary of Homeland Security the authority to waive certain environmental and land management laws in order to facilitate the expeditious construction of additional pedestrian and vehicle fence, towers, sensors, cameras, detection equipment, and roads in the vicinity of the border, and in 2008, the Secretary exercised that authority. See: http://www.epa.gov/ofacmo/gneb/pdf/2009_1224_gordon_letter_gneb_chair.pdf

➤ Goal #6 (Improve Environmental Performance through Compliance, Enforcement, Pollution Prevention, and Promotion of Environmental Stewardship) should have a more robust public participation component. Any stakeholder should be able to bring to the attention of the governments specific local issues. Local citizens were poorly represented, resulting in poor communications regarding exceedances of standards or other issues felt directly by communities. A grassroots approach should be taken to further engage this important contributor.

– RESPONSE: Border 2020 would like to increase public access to share comments, benefits from Border 2020 events and projects. In addition to opportunities for the public to raise issues through regional task forces and border wide forums and national meetings, federal and state partners have explored opportunities to enhance public access through telecommunications including on-line media. For example, the Waste Policy Forum created a Scrap Tire Forum social network, EPA partnered with SEMARNAT, and the World Bank to host a webinars offered through the Latin American Network for Contaminated Sites (<http://www.relasc.org/>). While these examples demonstrate use of these tools for outreach and training, these same on-line tools can be used to facilitate public access to share comments, particularly when the public is unable to attend events including meetings in person. Border 2020 will actively seek out partners to leverage existing on-line tools and organizations that facilitate programming to use these tools for outreach, training, and other purposes.

Overall General Comments

- The effectiveness of a public information system directly relies on the capacity of the public to receive, process, and apply such information. The capacity of the border community to process and apply environmental and health related information is currently undetermined, but is likely challenged by a deprived environmental/health educational background. In this regard, the Border 2020 goals regarding environmental educational align well with these goals. Therefore, synergetic activities should be encouraged to develop a public information system complemented by educational campaigns targeted at key public entities (community-based organizations, schools, universities, government agencies) on how to disseminate, process, and apply the information provided through the system. To ensure the effective utilization of resources the development of new and more comprehensive information system should build upon existing resources (e.g., ozone action days, AQI, etc). Therefore the Border 2020 should encourage the recognition and utilization of current available resources.
 - RESPONSE: Border 2020 will consider these recommendations as it develops its communication outreach and strategy, dependant on resources.

- Consider amending the Mission Statement to read: Protect and promote the environment and public health in the US-Mexico border region, consistent with the principles of sustainable development.
 - RESPONSE: The current Border 2020 Mission statement is consistent with the intent and mandate of the 1983 La Paz Agreement.

- Need to encourage more collaboration between partners and to add at least two annual meetings to exchange ideas.
 - RESPONSE: Although it is ideal to hold as many meetings as possible, due to resources constraints we are unable to hold two annual meetings - The Border 2020 Program consists of several other means to exchange ideas, receive input and be open to public participation such Regional Workgroup, Task Force, and Policy Fora meetings. In addition, we will continue to promote the use of video or audio conferencing where feasible.

- Explore mechanisms to strengthen the BECC, as it plays a key role in supporting the objectives of the program.
 - RESPONSE: EPA has always strived to strengthen our relationship with BECC. EPA continues to seek innovative ways to continue this relationship. For example, aside from the water infrastructure program, BECC has assisted EPA with implementing projects along the border. BECC has also assisted EPA in

strengthening the binational relationships along communities on both sides of the border.

- We need to address land conservation/restoration in order to provide healthy and safe opportunities for recreation (to address obesity) and ecotourism (jobs and economy improvement).
 - RESPONSE: These areas are not in the purview of EPA's mandate. However, local efforts, among the different agencies that address these issues, continue.

- While it is understandable that the draft document is in need of further copy editing, I would call attention especially to the usage of the term "fundamental strategies." Without a verb to indicate what sort of action is to be pursued as the guiding principle with respect to each, the first four of the five so-called strategies, as they are, would more properly be characterized as areas or issues of priority concern. What is Border 2020 proposing to do with respect to climate change, disadvantaged and underserved communities, children's health, and environmental education? Each of these headings needs a verb that best summarizes the discussion of each priority. Only the aforesaid fifth, "strengthening tribal, state, federal, and international partnerships" (emphasis added), properly indicates what, generally, is to be done. Also, when referring to any one of the six Policy Fora individually, as at lines 1224, 1234, and 1324, the singular form of the noun--forum--is called for.
 - RESPONSE: This comment has been addressed in the framework document.

- With no increase in funding resources provided, the Tohono Nation recommends to see additional efforts on leveraging resources. For small communities, it is difficult to leverage resources to make projects successful. (Recommendation to develop an information clearinghouse, or other mechanism could be used to provide pertinent funding source data to tribal and other small local governments. Because of the very limited funding for border projects, priority should be on existing environmental health problems/impacts. Therefore local communities should be the main instigators of proposals).
 - RESPONSE: List of source of other funding is being prepared by EPA's Tribal Office. This can be used by other small local governments.

- Spell out "E-waste" throughout the document, which is assumed to be defined as electronic waste. This may not be a familiar term for all readers. Page 23, line 821: "Through" should read "Through."
 - RESPONSE: Comment has been addressed in the framework document.

- Communication: NMDA would appreciate receiving information and communication from Border 2020 partners on its initiatives, especially those related to pesticide education and management and sustainable water resource management. The agricultural community in New Mexico's border region relies on sustainable natural resources such as clean water to provide economic benefits and safe food supplies to the citizens of our state and beyond our borders. NMDA appreciates consideration of these comments and respectfully requests that affected stakeholders are fully engaged in the planning processes with potential to impact state's rights and private property rights, including agricultural production and other economic development activities.
 - RESPONSE: This is an important point; however, and will be discussed at the Communication Advisory Committee.

- In regards to obtaining information and technical assistance, it would be best to coordinate with other public dependencies that are related to transport, energy, and biodiversity. Of course the latter is nothing foreign to the work of SEMARNAT and EPA because this does need to be incorporated within the goal areas. The importance that this has, especially within the Sonora-Arizona region, protecting the bio-sphere is something that should be looked as a whole.
 - RESPONSE: This is an important point; however, biodiversity is not in the purview of EPA's mandate. Local efforts among different agencies that address these issues continue.

- A recommendation in regards to finance is the NADB, that it be an option in which it can provide financing in areas of infrastructure, equipment, and where projects can somehow be incorporated into this type of financing.
 - RESPONSE: The NADB is available to assist entities that qualify for loans and limited grant funding.

- There is mention of the NADB as financing opportunity. We consider this should be left open for the project sponsors and others to decide their own financing.
 - RESPONSE: We agree, and will reword to be clearer in the statement.

- Biodiversity should be in one of the goals. It is very important especially to the Sonora/Arizona region due to the fence.
 - RESPONSE: This is an important point; however; biodiversity is not in the purview of EPA's mandate. However, local efforts among different agencies that address these issues continue.

- Section B: Tools, line 1132: Please consider expanding the capacity building concept to include strategies such as use and management of water, special wastes like tires, electronic waster. Also include capacity building and use of dry bathrooms/latrines, septic tanks, etc.
 - RESPONSE: The areas of capacity building concepts to include strategies such as use and management of water, special wastes like tires, electronic waste are part of the Goals.

- When you talk about marginalized communities, you mention capacity development. The concept and definition of capacity development needs to be extended and incorporated as specific strategy in regards to the community and the issues, like water and waste. The strategy needs to outline the methodology and the ways of providing capacity development.
 - RESPONSE: Methodology and ways of providing capacity development will be addressed in the action plans.

- NMDA supports the addition of the Border 2020 fundamental strategies to the U.S.-Mexico Environmental Border Program. Climate change resiliency is important for all economic sectors (including agriculture) and requirements to be addressed when implementing industrial technologies in homes and businesses. NMDA sees room for improvement within the second stated strategy, “Disadvantaged and Underserved Communities.” Environmental and economic justice for underserved communities are of the utmost importance for colonias and border communities in New Mexico; this strategy could benefit from more specific approaches than what is currently described. For instance, environmental education and children’s health issues within rural underserved communities will require different activities than those in urban settings. This strategy should describe these needs in a more detailed manner.
 - RESPONSE: While the fundamental strategy underserved communities is not meant to be all inclusive, more detailed strategies may be considered in the two-year action plans, as appropriate.

- In regard to the utilization of the term “Indian Country” on line 236, this improper use must be replaced by a term such as “tribal land.”
 - RESPONSE: Comment has been addressed in the framework document.

- The word “actions” should be the singular word “action.” (Page 16, line 507)
 - RESPONSE: Comment has been addressed in the framework document.

- State Honorary Signature on New Framework- With New Mexico having had representation on the Border 2012 Drafting Committee and the 2012 Border Governors Conference being hosted by the state, it may be a good choice to have New Mexico as the honorary signee on the new framework.
 - RESPONSE: Has been accomplished.

- Communication Strategy with U.S. Border States-- How to better communicate with States: - There is adequate communication within regional workgroups, at least in the experience of the NM/TX/CHIH workgroup. Perhaps including one state representative from each workgroup in calls or planning at the higher level of Border 2020 would ensure that States are involved in the process. This could be vital leading up to the annual NCM. States would then be more prepared at these higher level proceedings. Webinars are the appropriate tool for conducting meetings where travel is restricted. Encourage or facilitate the use of webinars in Border 2020, including meetings with our Mexican counterparts. We ask that EPA be responsive to issues critical to the states in their facilitating of Border 2020. Should the need arise for calls on specific issues, be responsive to our needs and conduct follow through to ensure that the issue is resolved.
 - RESPONSE: Incorporated in the “Border 2020 Communication Strategy.”

- Background: Lines 322-323. The fact that 10%of the population resides in small towns or rural communities is not trivial, yet is mentioned here in a very cavalier manner. Many tribal communities fall under the definition of rural communities, and many colonias in Texas, which produce great environmental challenges, qualify as small towns or rural communities. There may be merit to creating a cross-media goal to address environmental issues in small towns or rural communities, which often require assistance meeting environmental goals and mandates.
 - RESPONSE: Program is emphasizing vulnerable populations to be considered thru the goals. We do not see any need for an additional goal.

- The figures cited are dated and should be fact-checked to ensure the latest available figures are used. For example: the latest figures on maquiladoras are from 2001 and a more current number from 2009 or even 2011 should be employed (lines 337-339)(Line 320-343)
 - RESPONSE: Will research the information and correct if necessary.

- While we are sympathetic with the desire to show that the border’s environment has suffered due to rapid growth this entire paragraph is presented as fact and should be qualified as appropriate to reflect that not the entire border suffers environmental degradation. (Line 346-351)

- RESPONSE: Comment has been addressed in the framework document.
- Line 346: Not all development in the border is unplanned. Change from “has resulted in unplanned development” to “has often resulted in unplanned and/or hasty development”.
- RESPONSE: Comment has been addressed in the framework document.
- We would like to see documentation for “increased frequency of chemical emergencies” this is questionable and should be fact-checked for accuracy. (Line 348-349)
 - RESPONSE: EPA and Mexico have researched and prepared detailed risk analyses’ reports of hazmat chemical emergencies along the border and priorities are determined based on this report, which is updated every other year.
- Change the header in line 375. Though frequently references as Integrated Border Environmental Plan, the correct name is “Integrated Environmental Plan from the Mexican-US Border area”. It can then be stated that it is best known as the Integrated Border Environmental Plan or IBEP.
 - RESPONSE: Comment has been addressed in the framework document.
- Mexican indigenous communities were not involves in the development of Border 2012; one of our staff members represents the US States on the binational committee which developed Border 2012, and does not recall any participation of Mexican indigenous communities in the development of the program.
 - RESPONSE: Comment has been addressed in the framework document.
- New air monitoring networks, ambient air quality accessibility, etc., are worthwhile, but by themselves do not contribute to improved air quality. (Lines 454-457)
 - RESPONSE: Comment has been addressed in the framework document.
- Advisory committee members are mentioned but not listed. We recommend listing advisory committee members.
 - RESPONSE: Done. We have included the names in the framework.
- Organizational Structure: The chart between lines 1120-1121 does not reflect the linkages between the regional workgroups and the policy forums as it should. The two

groups should build upon the knowledge of the other and provide information that is useful to the other.

- RESPONSE: These linkages are demonstrated in the explanation part.
- GENERAL COMMENTS: BECC could provide assistance in the priorities definition process to the RWG and TFs, taking advantage of the Planning documents it has produced on different environmental issues along the border. It would be convenient to have an objective aimed at developing a procedure to measure projects and Program's actual outcomes and impact on Border environmental features.
 - RESPONSE: Border 2020 will identify opportunities for BECC support via the National Coordinators and the Regional Workgroups. We look forward to BECC/NADB collaboration through the CAP program.
- Disadvantaged & Underserved Communities: to consider: BECC/NADB could participate through the new CAP program; Environmental Education: to consider: Through its Capacity Building Program BECC could foster this Fundamental Strategy.
 - RESPONSE: Thank you. Border 2020 will consider this recommendation and will work with the BECC to find synergies.
- Organizational Structure: A link between FORA -RWG/TF seems necessary to promote feedback and facilitate coordination between all the stakeholders at the different levels. The budget identification will have to be linked to the biennial Plan. How to establish engagement from the "potential funding sources"? Progress reports should include statistics on number of projects by G & O, trends observed, indicators evolution, etc.
 - RESPONSE: The Border 2020 Program will consist of small scale projects that will address the binational environmental priorities of the local communities, and supplement the resources available. The Border 2020 Program seeks to leverage existing resources. NADB funded projects are mainly infrastructure projects that are often large and costly.
- Funding Sources: Is important to define proper leveraging resources mechanisms. Additional funding sources need to be identified to ensure achievement of Program's G & O, this could probably be done through inclusion of additional stakeholders, like Department of Energy, USFWLS and USGS in the US side and CONACYT, Secretariat de Energía and SAGARPA on the Mexican side.
 - RESPONSE: Due to increasing federal resource constraints additional federal stakeholders will be difficult to incorporate.

- We strongly recommend that EPA collaborate with the appropriate authorities with jurisdiction and relevant stakeholders to incorporate the pertinent aspects of animal health into the Program. Animals (wild and domestic) in the areas addressed by the Program drink the same (or potentially lower quality) water as the humans who live there. They breathe the same air and are often exposed to the same environmental hazards as the humans. Depending on the contaminant or the environmental condition, animals may serve as sentinels or indicators of environmental hazards which could jeopardize public health.
 - RESPONSE: This is an important point; however, it is not in the purview of EPA’s mandate. However, local efforts among different agencies that address these issues continue.

- Task Force: To help accomplish the needed incorporation of relevant animal health issues and interactions with the environment and public health aspects of the Program AVMA recommends that each of the Regional Workgroups have on its roster at least one veterinarian with expertise in environmental health, toxicology, ecology, or public health. Also involve veterinary expertise such as a State livestock or wildlife veterinarian.
 - RESPONSE: This is an important point; however, it is not in the purview of EPA’s mandate. However, local efforts among different agencies that address these issues continue.

- Education/Outreach: We suggest that outreach and education regarding chemically induced illnesses and potential environmental contaminants similar to those for health care provider be directed towards the veterinary community and animal owners in the area.
 - RESPONSE: This is an important point; however, it is not in the purview of EPA’s mandate. However, local efforts among different agencies that address these issues continue.

- Although in Latin the plural of forum is for a, that is not a word the general public knows.
 - RESPONSE: Comment has been addressed in the framework document.

- The document sometimes uses binational and sometimes uses bi-national.
 - RESPONSE: Comment has been addressed in the framework document.

- Should read “lack of access”.
 - RESPONSE: Comment has been addressed in the framework document.

- Binationally is spelled incorrectly.
 - RESPONSE: Comment has been addressed in the framework document.
- Is “increased” supposed to be past tense?
 - RESPONSE: Comment has been addressed in the framework document.
- Should be “in the native language”.
 - RESPONSE: Comment has been addressed in the framework document.
- This is a long, complicated sentence. It started to become unclear at the end.
 - RESPONSE: Will revisit and incorporate if necessary.
- The current use of commas makes this sentence hard to understand. Suggest you rewrite as follows: In order to strengthen our ability to communicate program successes, outputs and outcomes, and seek input from our stakeholders and communities on pressing issues, the National coordinators seek the advice and recommendations from two committees: the committee on communications and a committee on border indicators.
 - RESPONSE: Comment has been addressed in the framework document.
- Need to decide whether to use the Oxford comma or not.
 - RESPONSE: Comment has been addressed in the framework document.
- Change device to devise.
 - RESPONSE: Comment has been addressed in the framework document.
- Have the acronyms been defined previously?
 - RESPONSE: An acronyms list is available at end of document.

- Revise punctuation as follows: from binational organizations such as BECC, NADB, and IBWC; non-governmental and community based organizations; academic institutions; and the private sector.
 - RESPONSE: Comment has been addressed in the framework document.

- Revise punctuation as follows..... Local, state, and tribal governments; academia; ngo’s; and Reword as following to make the list consistent: Identify Task Forces, including leadership through Regional Workgroups.
 - RESPONSE: Comment has been addressed in the framework document.

- Listserv is spelled list serve in other places in the document; Developing.....Maintaining.....Define BECCNET.
 - RESPONSE: Comment has been addressed in the framework document. There is no definition for this acronym. BECCNET is the communication network among subscribers who wish information on BECC/NADBank related activities.

- Add before the period “and to inform and educate large parts of the public that are unaware of these issues and their impacts.”

Reason: Most of the public are uninformed about these environmental issues. Not only is information necessary but the public needs to be educated so they can understand these issues better. (Page 5, Line 106)

 - RESPONSE: Comment has been addressed in the framework document.

- Page 6 Line 134; Page 6 Line 155; Page 7 Line 174; Page 8 Line 194; Page 9 Line 217. Comment: These titles are not numbered, thus starting each of the above lines with “1 -”, “2 - ...”, “3 - ...”, 5 - ...”, and “6 - ...”

Reason: This will help tie these issues to the later parts of this plan. Note add “4” when agreed.

 - RESPONSE: Comment has been addressed in the framework document.

- After “environmental” add “qualitative and quantitative performance”. Reason: To ensure that “numbers” are provided that can then be updated for several years. This will provide the ability to note “TRENDS” which can then be used to assess goal achievement. After a baseline is established, then future measurements need to show change in terms of trends, up or down, better or worse. (Page 9, Line 373)
 - RESPONSE: Comment has been addressed in the framework document.

- General. Comment: Livestock, exotic animals (many on ESA lists) and plants cross the border daily, some legally, others not legally. There needs to be awareness that such cross-border migrations or deliberate movements can introduce harmful environmental impacts. Some insects or smaller can have significant economic impacts. The public is not very aware of these issues and an educational program is suggested. Reason: Such animals and plants may bring infectious diseases that maybe the genus of a pandemic or blight for other species.
 - RESPONSE: This is an important point; however; it is not in the purview of EPA’s mandate. However, local efforts among different agencies that address these issues continue.

- While we are pleased to see new initiatives in the proposed 2020 program (for example the mention of renewable energy and energy efficiency is welcomed), we are overall disappointed that again the EPA has chosen to go it alone. Both La Paz agreement and the reality are that environmental agencies across the border cannot accomplish necessary progress towards its goals without the cooperation of other federal agencies. As a starter we would urge the EPA to approach the Department of the Interior (as it was successfully engaged in Border XXI), the Department of Energy, the Department of Transportation, the Department of Health and Human Services, Department of Homeland Security, and other department as needed to invite them to participate. We believe the Obama administration has broken down enough silos among agencies with its czars and interagency panels that this is not only possible but will be welcomed by those agencies as the EPA has a record of success where they still struggle.
 - RESPONSE: Federal Agencies are involved in the Border 2020 Program at different levels including the local Task Forces. Should there be a need to engage with a specific Federal Agency, the Program Partners may initiate MOUs or other communication mechanisms to seek their support.

- We make this recommendation as holistic analysts of the environment/ecology system and as observers of and contributors to the political process; its output, outcome, and outfall; and its unintended consequences. To imagine that water quality can be addressed in the vacuum of water quantity is symptomatic of the need for interagency coordination. We are pleased that the Mexican government (SEMARNAT including INE, CNA, CONANP, etc.) has organized itself to address them together. If the National Security Staff can do it for the 21st Century Borders, the EPA can do it for the environmental commons.
 - RESPONSE: Border 2020 strives to implement all its programs in a holistic process. We will consider your recommendation, and implement it as resources are available.

- We find it difficult if not impossible for the EPA to address disproportionate environmental impact without first conducting a comprehensive risk assessment. In the many years that the EPA and BECC have attempted to run a border program (on a shoestring relative to other similar initiatives such as the Great Lakes Program) it remains inconceivable that such a comparative threat and vulnerability analysis has not been initiated beyond a few site-specific hotspot analyses conducted by the sister agencies above a decade ago. How, for example, can the EPA know if air quality, including emissions of greenhouse gases, is a greater or less risk than that from water quality, or hazardous materials? How does loss of biodiversity measure up and become impacted by the above threats? Investments to address the relative risk should be commensurate.
 - RESPONSE: As a demonstration program we consider all risks important, especially since the issues are raised by the communities under the bottom up approach. This is an important point; however; biodiversity is not within the purview of EPA’s mandate. However, local efforts among different agencies that address these issues continue.

- We celebrated the 25th anniversary of the Environmental Cooperation Agreement a few years ago we were struck by its power and the lack of progress on some issues identified, the better future envisioned, and the mechanism authorized by Presidents Reagan and de la Madrid when they met in La Paz. To allow TEIAs to fester as an unresolved opportunity between the two neighbors, with the success of the border programs, and with the undeniable advantage of such a process, is lamentable. The National Coordinators for the Border 2020 program MUST make progress on this issue which can address all of the peripheral and project-related environmental consequences at the border program will be too general to address.
 - RESPONSE: The Commission for Environmental Cooperation (CEC) continues to be the lead for addressing TEIA.

- Environmental Education: support for more activities in the communities such as: workshops, festivals and other capacity building events provided an opportunity to address a host of problems including the general lack of education attainment which is so prevalent on the border.
 - RESPONSE: Comment has been addressed in the framework document. In goals of new program.

- Program should continue to highlight problems/issues in rural and non-urban areas.
 - RESPONSE: Comment has been addressed in the framework document.

- Promote workgroup meetings in the Mexican side.

- RESPONSE: Comment has been addressed in the framework document.
- I think it is important to reinforce the actions focused on NGOs, to raise citizen’s awareness and responsibility, since the municipal government programs are limited by implementation of programs on a triennial basis. Every three years, municipal governments, through their respective environment agencies begin with zero knowledge on pertinent matters; there isn’t a plan and much less a strategy to make actions more efficient during the three year period. That is why the Border 2020 program efforts should surpass the expectations of Border 2012 by increasing public participation and even by promoting the creation of a committee made up of individuals that have been working for many years to improve the environment, and are familiar with border issues, such as academics and local scientists from each city, citizens, activists, NGOs, and government agencies, making this a leadership committee in Border 2020. This committee would follow up on projects, would budget and audit the program funds, and in case of infrastructure or equipment, the ability to quality control. Please, don’t let the resources get lost; that the municipalities don’t use the resources in a partisan way; that programs don’t start and finish every three years. We citizens share the responsibility; environmental protection is not just a government prerogative, it is every one’s obligation. The local citizen’s counsels would be different than the social gatherings currently taking place in Border 2012 (and that only take place on the U.S. side in the Tamaulipas border).
 - RESPONSE: This is EPA and SEMARNAT’s responsibility. There are federal regulations that would not permit an independent group to address regulatory issues along the border.
- Tribal leads asked for more advance notice in order to plan the attendance to the meetings.
 - RESPONSE: Incorporated in the “Border 2020 Communication Strategy.”
- What is the status of the task force being co-chaired by tribes?
 - RESPONSE: Tribal governments have been encouraged to participate in task forces. Border 2020 will encourage more participation of Tribal leads as Co-Chairs.
- The new Border 2012 program should consider implementing a community based participatory research model when developing new projects. Communities should be more incorporated in binationally funded projects. This can promote new innovative approaches that encourage thinking outside of the box when it comes to implementing solutions to local problems.

- RESPONSE: Within Border 2020, as part of the development of two-year Action Plans, stakeholders can suggest where community-based approach models can be incorporated into proposed border efforts.
- Partnerships with universities should be strongly considered in order to leverage future funds. In addition, Universities can play a neutral role and increase communication with the public, especially in outreach components. Universities can also partner to leverage state and federal funds for environmental research.
 - RESPONSE: Border 2012 participated with universities formally and informally to support various efforts. We welcome even greater participation in Border 2020 to be more successful and invite universities to seek an active role in the development of the two-year Action Plans that will be a key component to define the priorities, investment needs, and opportunities to leverage knowledge and resources for Border 2020.
- While it is understandable that the draft document is in need of further copy editing, I would call attention especially to the usage of the term "fundamental strategies." Without a verb to indicate what sort of action is to be pursued as the guiding principle with respect to each, the first four of the five so-called strategies, as they are, would more properly be characterized as areas or issues of priority concern. What is Border 2020 proposing to do with respect to climate change, disadvantaged and underserved communities, children's health, and environmental education? Each of these headings needs a verb that best summarizes the discussion of each priority. Only the aforesaid fifth, "strengthening tribal, state, federal, and international partnerships" (emphasis added), properly indicates what, generally, is to be done. Also, when referring to any one of the six Policy Fora individually, as at lines 1224, 1234, and 1324, the singular form of the noun--forum--is called for.
 - RESPONSE: This comment has been addressed in the framework document.
- What is the status of the task forces being co-chaired by tribes?
 - RESPONSE: Border 2020 encourages interested tribes to consider being co-chairs of any local task force
- As an emerging field of concern defining the state of knowledge is imperative to ensure that efforts and resources are effectively allocated. Therefore, the agenda should encourage the gathering, processing, and documenting of up-to-date scientifically sound information regarding the potential impacts of climate change on the region and should pair such information with the vulnerability assessment suggested in the past section. Identifying the populations most vulnerable to the impacts of climate change will assist in prioritizing research and intervention programs. The effective allocation of resources to both research and intervention programs is essential to the development of sustainable solutions to the border's environmental health needs. Effective prevention

and response programs against the health impacts of environmental conditions should respond to the most accurate assessments possible and should initially address those communities at greater risk. The allocation of resources to misinformed activities goes against the sustainability principles of the Border 2020 program.

- RESPONSE: Border 2020 takes note of comment. Addressed in the framework under Fundamental strategies.

- Develop a larger role for citizen interaction, perhaps via a new taskforce dedicated to Border citizen participation. Even though citizens are welcomed to all taskforce meetings, they are not a highly represented. This can be facilitated by non-governmental organizations that partner and represent their interests.
 - RESPONSE: Border 2020 encourages opportunities to establish partnerships with non-government organizations that will support Border 2020 outreach efforts. Recommendations on priorities for topics, outreach strategies, and opportunities to leverage resources from non-governmental partnerships should be proposed for consideration in the two-year Border 2020 Action Plans, the mechanism that will set priorities for resource and funding investments in the border region.