



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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Office of  
International and  
Tribal Affairs

Ms. Karen M. Chapman  
Chair, U.S. National Advisory Committee  
Environmental Defense  
223 North Union Street  
Delaware, OH 43015

Dear Ms. Chapman:

On behalf of Administrator Lisa P. Jackson, I would like to thank you for the National Advisory Committee's (NAC) advice of December 31, 2010 reporting on your November 17, 2010 meeting in New Orleans, and providing recommendations to the United States on issues related to the CEC. Administrator Jackson enjoyed the opportunity to meet with you and other members of the NAC and GAC at the Council Session in Guanajuato, Mexico.

As you know, the August 2010 CEC Council Session was a resounding success, and we continue to move forward in our endeavor to renew, revitalize and refocus the CEC to conform to a new vision of an effective organization that can be a partner in fulfilling the Agency's priorities to promote citizen engagement, improve public health and increase government accountability on environmental enforcement. EPA is working diligently to finalize a new Operational Plan project template that will enable the Parties to focus more resources on producing concrete and measurable environmental results.

Thank you for your views on the citizen's submission process. Council remains committed, as per Council Resolution 01-2006, to utilize our "best efforts, and to encourage the Secretariat to make best efforts, to ensure that submissions are processed in as timely a manner as is practicable, such that ordinarily the submission process will be completed in no more than two years following the Secretariat's receipt of a submission." Council also committed to paying due regard and considering all aspects of the issues raised, taking the time needed to contemplate and evaluate increasingly complex issues that often involve a range of authorities and departments, as well as provincial, state and local governments.

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Rather than continuing what has become an ineffective dialogue, however, the U.S. has moved forward Council's commitment, made through the Governance Proposal, to undertake a comprehensive review of the SEM process to improve, modernize and make it more efficient. At a recent meeting of our GSC officials in Montreal, the U.S. tabled a proposal to begin an in-depth review of the matter as soon as feasible, taking into account the need to develop and finalize an operational plan by March 31. Through that process submission issues will be carefully and thoroughly considered and a response provided.

Thank you for your recommendations on the Strategic Plan and future projects. As you know the Strategic Plan specifically identifies the priorities that will be undertaken through 2015, and the Council has repeatedly called for a more focused work plan that will enable the Parties to achieve positive environmental results. To the extent that the trilaterally agreed to priorities are accomplished, we hope we will be able to broaden the scope of the work plan in the future. With respect to an Article 13 report, the NAAEC calls for the Secretariat to propose such undertakings to Council for its consideration. Thus, if the Secretariat proposes such a study, the U.S. would be supportive.

We appreciate your recommendation on TEIA and agree that the issue should be revisited. As you are aware, differences in federal structure among the three NAAEC Parties have hampered TEIA negotiations in the past. We will take a fresh look at the issue and consult with our Canadian and Mexican partners with the view to finding a new approach that respects our federal system.

Thank you for your recommendation on the NAPECA grant program. I am happy to report that the Strategic Plan includes criteria identifying how the activity coincides with Council priorities.

As always, the United States appreciates the advice of the National Advisory Committee, which helps us to understand the views of the public on critical environmental issues in North America.

Sincerely,



Michelle DePass  
Assistant Administrator

cc: Jeffrey N. Wennberg, Chair, U.S. Governmental Advisory Committee  
Members of the U.S. National Advisory Committee