

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF INTERNATIONAL AFFAIRS

March 24, 2003

Mr. Gustavo Alanís-Ortega
JPAC Chair for 2003
Commission for Environmental Cooperation
393, rue St-Jacques ouest, bureau 200
Montréal (Québec) H2Y 1N9

RE: Response to JPAC Advice to Council 02-12 (TEIA)

Dear Mr. Alanís-Ortega,

Thank you for your advice concerning the negotiation of a trilateral agreement among the governments of Canada, Mexico, and the United States on transboundary environmental impact assessment ("TEIA"). As always, we appreciate the thoughtful consideration and effort of the JPAC in developing this advice. On behalf of the Council, we offer the following response.

As you are aware, the Council has worked hard over the years to advance these important government-to-government negotiations. This is reflected in the Council's approval of the recommendations regarding these negotiations by a CEC preparatory working group, and in the CEC's technical support for these negotiations. Although substantial progress has been made in the development of the TEIA agreement, the Parties have had difficulty in agreeing on the manner in which the Agreement would address projects subject to approval at the sub-Federal level, due to differences in the Federal systems of each country. Government to government contacts are continuing to explore potential solutions to this problem.

In our view, the delicate trilateral negotiations would not be well served by the formation of a new negotiating group. However, we appreciate the JPAC's interest in the matter, and will keep the JPAC and the public informed as the negotiations progress.

Yours sincerely,

[Original signed]

Judith E. Ayres
Assistant Administrator

cc: Norine Smith
Olga Ojeda Cárdenas
JPAC Members
CEC Acting Executive Director