



**ADVICE TO COUNCIL NO: NO.02-10**

**Re: The CEC and the Management of Freshwater in North America**

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America:

IN ACCORDANCE with Article 16(4) of the North American Agreement on Environmental Cooperation (NAAEC) which states that JPAC “may provide advice to Council on any matter within the scope of this agreement (...) and on the implementation and further elaboration of this agreement, and may perform such other functions as the Council may direct”;

WHEREAS at its 2001 Regular Session, Council agreed to undertake an initiative to analyze issues related to “local water pricing and watershed management, and promote accessible, affordable technologies for improving water management”;

IN RESPONSE, the Secretariat initiated a plan to develop a concept paper outlining a long-term vision for the role of the CEC in the area of watershed management, including consideration of affordable water-related technologies and water pricing and to develop recommendations for Council to consider on possible CEC work in this area;

HAVING participated in a public workshop on freshwater issues (groundwater and surface water) in North America, held on 3 October 2002, in Albuquerque, New Mexico, to review a draft options paper designed to advance the issue of sustainable watershed management and taking note of public comments;

UNDERSTANDING that well-established organizations have a long history of working to manage freshwater issues, particularly in border regions, and that any actions taken by the CEC must work in concert with these organizations;

MINDFUL of the CEC’s demonstrated experience and strength in acting to facilitate trilateral cooperation around issues of common concern and aware of the need to stimulate innovative thinking and ensure that any action taken by the CEC is value added;

BUILDING on the body of work already developed by the Secretariat on the subject; and

AWARE that the Secretariat will now go forward to prepare a final draft options paper and public comments will again be solicited prior to preparing a final report, including recommendations for Council;

JPAC therefore provides the following advice to assist Council in making its decision on how the CEC can engage in, and constructively contribute to, the complex issue of freshwater management in North America:

- In designing its work plan, the goal of the CEC effort should be to develop ecoregional, ecosystem and watershed approaches and actions to achieve sustainable freshwater management;
- In order to be effective, this effort should be informed by a high-level dialogue among all levels of government, those well-established organizations already engaged in this work, the private sector, academia, indigenous peoples, nongovernmental and citizen's organizations;
- The dialogue should identify the guiding principles which underpin ecoregional, ecosystem and watershed approaches to sustainable freshwater management and examine scientific knowledge, traditional knowledge, lessons learned, best practices and leading edge issues, such as affordable clean technology options, non-water-based solutions, economic instruments and financial mechanisms to support the implementation of proposed solutions;
- The dialogue should also focus on developing an approach that goes beyond traditional pricing perspectives and encompasses all externalities related to the true value of water;
- Adopting an ecoregional, ecosystem and watershed approach will complement other programs of the CEC. Examples include invasive species (the Conservation of Biodiversity program), discharge standards (the Sound Management of Chemicals program) and children's environmental health; and
- These efforts will give new impetus and underscore the need to conclude an agreement related to NAAEC Article 10(7) for transboundary environmental impact assessment (TEIA).

While continued high-level dialogue is necessary to arrive at effective solutions, immediate action should be taken to promote awareness of the urgency of problems associated with freshwater. The CEC has gathered valuable contributions to what is already known at the institutional level about the status of freshwater in North America. However, this information is not widely known by the general public, and therefore fails to influence behavior.

Therefore, JPAC urges the Parties to undertake education and public awareness campaigns about the nature, scale and challenges facing our North American freshwater resources. In aid of these awareness campaigns, the CEC should, in the 2003 work plan, prepare a map or similar tool on the status of freshwater in North America showing what is known about quantity and quality, hot spots and information gaps.

To support these efforts JPAC further recommends that freshwater conservation and management be made the theme in the 2004 CEC North American Fund for Environmental Cooperation (NAFEC) granting round.

JPAC applauds the work of the Law and Policy program staff and project team in developing substantive and timely materials for JPAC and the public to review. JPAC looks forward to receiving the final draft options paper with recommendations for Council and may provide additional advice at that time.

APPROVED ON 4 OCTOBER 2002