



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

JAN 09 2015

Mr. Robert Varney
JPAC Chair
Commission for Environmental Cooperation
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Montreal QC H2Y IN9

Office of
International and
Tribal Affairs

Dear Mr. Varney:

On behalf of the Council, I would like to thank the Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) for their Advice to Council Number 14-02: Regarding the JPAC Public Forum in Yellowknife (July 2014) on Transboundary Natural Resource Management: Meeting Challenges through Cooperation and Participation across Borders.

We would like to commend the JPAC for hosting a very successful meeting and for incorporating a diverse range of perspectives into its proceedings. The management of transboundary natural resources is an important issue for our three governments and the work we have accomplished through the CEC has benefitted our trilateral conservation efforts. Further, we applaud JPAC's work in encouraging information sharing among the Parties and various stakeholder groups on this important issue.

Recommendation/Observation 1: *Transboundary watersheds in North America serve vital ecological, economic, and cultural interests that have been advanced by the NAAEC Parties through cooperative institutions and mechanisms that engage civil society in shaping and advancing objectives. Our Public Forum on Transboundary Natural Resource Management included a panel and public discussion of transboundary watersheds that highlighted several successful governance models for conservation and management of the Great Lakes as well as a recent process for review of the Columbia River Treaty that was notable for its transparency and public participation. These can serve as examples of cooperative transboundary watershed management to be emulated throughout North America and in other regions.*

Response: While the Council agrees that they are of great importance to our ecological, economic, and cultural interests and we continue to support the governance models employed by our three countries to conserve and manage these resources. We will also continue our work toward cooperative management of our transboundary watersheds that provides benefits to all North American stakeholders.

Recommendation/Observation 2: *At the Yellowknife Council Session we received an update from an expert who worked on the Silva Reservoir case regarding subsequent actions taken in response to the Report. In the years following the CEC report, Mexico strengthened institutions and legal frameworks for river basin management and water pollution prevention. The 1995*

report, and the positive actions taken by Mexico in the following years, illustrate that: (a) water resource challenges in one NAAEC country can have a demonstrable impact on water-dependent natural resources, such as migratory waterfowl, throughout North America; and (b) transboundary cooperation and public engagement at a regional level can support and reinforce actions taken by national institutions in their own domestic context.

The Silva Reservoir is an excellent example of how the NAAEC Parties coordinate efforts through the CEC to prioritize this important resource, mobilize public involvement, and to ultimately improve the water quality in the basin and protect the reservoir as an ecological preserve. With the CEC and the Parties working together to establish the site as a priority, the Silva Reservoir is today a center for environmental education and training and home again to thousands of waterfowl.

Recommendation/Observation 3: *The CEC should continue and expand its work on water and watershed issues as an integral part of its next strategic plan. CEC resources should be devoted to strengthening and disseminating scientific understanding of water and watershed conservation and management issues, as well as broader public participation in water and water resources and watershed decision-making, with the recognition that water and water-dependent natural resources of national and international significance are ecologically and culturally interconnected in ways that know no political boundaries.*

In selecting projects for the 2015-16 Operational Plan for the CEC, Council committed to putting more resources toward water issues while maintaining respect for the current bi-national agreements that govern our transboundary waters and watersheds. We will continue to assess the role of coastal habitats and watersheds in supporting diverse ecosystems across North America. This will include improving blue carbon data, mapping, and approaches to reducing carbon emissions as well as efforts to preserve marine protected areas.

Recommendation/Observation 4: *Climate change is a critical challenge that will affect ecosystems, economies, natural resources, and populations in North America—with a disparate and potentially devastating impact on isolated, marginalized, coastal and indigenous communities. Many examples of existing cooperative programs, as well as challenges faced in strengthening regional cooperation, were discussed during our Public Forum and are referenced in the Summary Record. We applaud the measures undertaken by NAAEC countries to mitigate and adapt to anthropogenic climate change drivers through legislative and executive action.*

With regard to climate change mitigation and adaptation, Council has prioritized this issue as one of three key strategic priorities under the new 2015-2020 Strategic Plan and will continue to support national legislation and other government action with complementary efforts through the CEC. Through air quality data sharing, improved mapping, and integrated modeling and assessment of climate pollutants, the NAAEC countries see these efforts as top priority for our cooperative efforts.

Recommendation/Observation 5: *Strategies that will help communities mitigate and adapt to climate change often arise in local contexts that are not easily translated or disseminated to a broader public. The CEC can play a unique role in identifying local solutions and disseminating*

them at a regional level, and in engaging officials and experts who can navigate the complexities of different land management systems. The CEC can also build on existing local partnerships (government agencies, universities, and nongovernmental organizations) with scientific expertise and strong ties to the region in order to promote collaboration, strengthen regional responses to climate change, and support the alignment of regulatory standards.

The NAAEC Parties strive to bring local and community perspectives to bear on the balancing of economic goals and ecosystem conservation efforts. As part of the 2015-2016 Operational Plan, the Council committed to a continued focus on community perspectives by including Sustainable Communities and Ecosystems as strategic priority. Work under this priority will include ongoing support to the North American Partnership for Environmental Community Action, which was established to broaden the community level perspectives and to strengthen local partnerships.

Recommendation/Observation 6: *Our Public Forum included speakers and guests from indigenous communities in all three NAAEC countries, and part of the Forum was devoted to a discussion of the importance of Traditional Ecological Knowledge. This refers to the historically and culturally rich knowledge of biological and ecological systems that traditional communities have inherited, and includes guiding principles and knowledge about interactions among human beings, human communities and nature. NAAEC Parties should recognize the intellectual resource of Traditional Ecological Knowledge at the same time that they respect its heritage. CEC programs should be developed with these dual concerns in mind.*

With the signing of the 2014 Ministerial Statement, the Environment Ministers of North America also committed to engaging indigenous communities from the three countries to assist incorporating Traditional Ecological Knowledge, or TEK, into the work of the CEC, including within the cooperative work program that composes the majority of our collaborative efforts. We respect the intellectual resources that TEK brings to our work and are taking steps to integrate TEK into projects under consideration for the 2015-16 CEC Operational Plan. Further, we are examining methods through which to formalize advice and counsel from designated TEK experts to better meet our mission to foster conservation, protection and enhancement of the North American environment for the benefit of present and future generations.

Recommendation/Observation 7: *Speakers at the meeting cited examples of how indigenous communities use their traditional ecological knowledge, which can include ways to adapt to climate change, to address and find solutions to the environmental issues they face. We can learn from these traditional and indigenous communities, and at the same time work with them to address their own vulnerabilities. An approach to sustainable development and environmental policy that combines traditional, historical, and indigenous knowledge should be taken into consideration in North America. Sharing this particular knowledge and learning of traditional ecological knowledge of indigenous peoples in other regions of the world could serve as a model in finding solutions and attaining future results.*

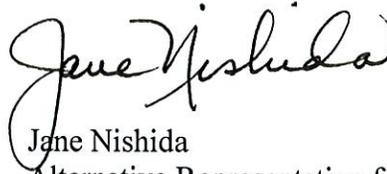
We firmly agree and are taking active steps to include traditional ecological knowledge from indigenous communities into all areas of the CEC cooperative work program. One new initiative we will pursue through the 2015-16 Operational Plan is the expansion of the Local

Environmental Observer Network that is currently operating across Alaska through the Alaska Native Tribal Health Consortium. In addition, we will support using TEK experts across North America to bring an indigenous peoples' approach to our trilateral efforts.

***Recommendation/Observation 8:** During our joint meeting with the Council, JPAC presented brief interventions on: (a) the need to involve JPAC as an integral part of developing the next strategic plan; (b) the importance of restoring JPAC's full budget so that we may be meaningful participants in implementing the next strategic plan; and (c) concerns regarding the integrity of the Submissions on Enforcement Matters (SEM) process and the independence of the Secretariat as it responds to and investigates submissions. We appreciate Council's attention and thoughtful response to our interventions on these matters during our meeting, and wish to emphasize their importance to JPAC members.*

We appreciate the value JPAC brings to the CEC Operational and Strategic planning process and the Parties look forward to engaging the JPAC as we develop and finalize the 2015-2016 Operational Plan and 2015-2020 Strategic Plan. We recognize the importance of a healthy budget for the CEC and for JPAC and we remain committed to making sure the CEC cooperative work plans continue to deliver high-impact programs and results. We also remain committed to transparency, public engagement and information-sharing between the public and their governments. In support of these objectives, the Parties have worked tirelessly to modernize the SEM process, making it more transparent and meaningful and we will continue to work to further improve it.

Sincerely,



Jane Nishida
Alternative Representative for the United States

cc: Dan McDougall, Alternative Representative for Canada
Enrique Lendo, Alternative Representative for Mexico
Irasema Coronado, CEC Executive Director
Marcela Orozco, JPAC Liaison Officer