

Alejandra Goyenechea

Defenders of Wildlife Washington, DC, United States

Thank you for the opportunity to comment on the Strategic Plan of the Commission for Environmental Cooperation 2010-2015. Defenders of Wildlife, a U.S.-based non-governmental organization, is dedicated to the conservation of wildlife and its habitat. Defenders strongly agrees with the importance of public participation in improving the effectiveness and programs of the Commission. Accordingly, Defenders offers the following comments for consideration.

1. Reducing black carbon emissions represents a great opportunity to link climate change with specific actions that will benefit both public health and the environment, and have beneficial social and economic consequences at the local, regional and national level. Black carbon emission reductions could have important positive impacts in mitigating climate change while improving air quality.
2. There is a need to strengthen actions presented and described in the Plan. For example priorities and actions in the Climate Change section, should not be presented as a “could” but as a “should.”
3. Goals, results and indicators to facilitate implementation and follow up of the Plan should be included. For example, see our suggestions on the development of a table for indicators and results in the climate change priority.
4. It is necessary to communicate and disseminate the plans, actions and results achieved. Scientific studies and action plans are a basic instrument for a successful Plan and its implementation, but without enough public communication, and diverse messages to a diverse public, the Plan will not be as effective.
5. Defenders support the current language in the strategic plan to enable community based adaptations that could enhance resilience to impacts from climate change that affect both physical and social environments. However, we recommend more attention be placed on shared climate change adaptation activities. There is a tremendous need and opportunity for collaborative climate change adaptation activities and information sharing between the United States, Canada, and Mexico. In particular, we recommend the inclusion of ecosystem-based adaptation strategies to protect natural resources and communities from the impacts of climate change.

In addition, the following text should be replaced by the suggested language underlined:

1. Strategic Objective #4, Strengthening Regional Environmental and Wildlife Law Enforcement, priority “Healthy Communities and Ecosystems”: The Objective has to be accompanied by a massive campaign of public awareness in order to be

successful. If the public is not educated on the seriousness of imperiled species, enforcement will not be a success by itself.

2. 4.2 Climate Change – Low carbon economy. Strategic Objective #1: the improvement of comparability of greenhouse gas emissions data should be also measured by indicators building upon previous emission comparisons developed by the CEC. Also, there is a need for an integrated approach on climate change and local air pollution.
3. Bullet number 3 – Black carbon data: diesel from industry and vehicles should be included in the gathering and analysis of black carbon data.
4. Page 9, first bullet: The following text should be inserted before “sufficient capacity, infrastructure, and systems for supporting methodologies; and”: “data availability, data collection, technical assistance, training, measurements and analytical infrastructure, with emphasis to Mexico and strengthen its capacities”.
5. Page 9, addition of a third bullet to complete the initiative to address in climate change and enable a low-carbon economy: “increased capacities to communicate data and information to different audiences, including the public, by appropriate means”.
6. Strategic Objective #2: “could” needs to be replaced by “should” to strengthen the activities carried by the Parties.
7. Strategic Objective #2, second paragraph: “establishes an on-line information sharing platform focused on science, technologies, and policies”. We support this initiative but it is important to determine in the Plan who will manage the platform to have clear responsibility for developing the strategies. In the same sentence, we suggest the following text: “establishes an on-line information sharing platform focused on science, technologies, policies, best practices, training, technical assistance and finance opportunities”.
8. Page 10: The last paragraph should read as follows: “in support of both strategic objectives, the Parties should collectively undertake value-added focused projects that deliver GHG reductions and ancillary benefits to North America (including improved public health related to indoor pollution).”
9. Page 10: First box, first sentence, should read as follows : “In the short-term, for example, these projects will include but not be limited to: [...] – clean/low emissions vehicles road and non-road [...] – other initiatives related to black carbon such as wood burning, agricultural burning, brick kilns, waste burning, diesel trucks and buses, forest fires”.

Defenders is an organization that has worked for a number of years in issues of climate change, we hope that these comments will be useful to develop an integrated final Plan. This is an ideal moment to elaborate such a Plan in view of the need for the countries to join efforts to address climate change.

Bruce Bigham

**Retired physicist
Deep River, Canada**

I have been disappointed that the CEC has not been able to develop a rational plan for the use of many chemicals instead of promoting 'bans' based on flimsy evidence - for example the use of DDT to eradicate malaria.

Is your 'low carbon' plan based on solid evidence? I think a good case can be made for the idea that bringing sequestered carbon back into circulation by burning coal may be the only good thing we are doing for the planet! There is some evidence that global plant growth is already increasing.

I see no mention that there is all the energy we need available from uranium fission and it's use is the most environmentally friendly choice we have. Having ample energy available widens the horizon of opportunity for improving our environment. CEC could help by reducing the regulatory barriers. In general - please look carefully at the basis for your actions.

Carla Sbert

Nature Canada
Ottawa, Canada

It was a pleasure to participate on behalf of Nature Canada in the CEC JPAC and Council Sessions on August 16 and 17, 2010 and I thank you for supporting my attendance. As you know, the main focus of my participation was to encourage the CEC to focus its efforts over the next 5 years on restoring the health of North America's native grasslands one of our most imperiled ecosystems. The statement I delivered to the Council on August 17, best summarizes our comments on the proposed 2010-2015 Strategic Plan of the CEC. I am enclosing it and a related article for your reference.

However, given that there was no opportunity for public comment after the Tuesday morning session, I will take this opportunity to make two brief comments on other topics addressed in the proposed Strategic Plan, as follows:

1. Nature Canada has twice participated as a submitter under Article 14 of the NAAEC. The first submission (Ontario Logging II) filed in October 2004, led to the publication in February 2007 of a Factual Record that has proven very helpful in working to address the failure to effectively enforce Canada's Migratory Bird Convention Act alleged in the submission. The process took less than two and a half years. In October 2006, Nature Canada (and several other organizations) filed another submission, this time regarding effective enforcement of the Species at Risk Act in Canada. The Secretariat diligently took less than a year to recommend to the Council the preparation of a factual record. However, a few days from today, that recommendation will have been awaiting a Council vote for three years. Needless to say this is unacceptable. The citizen submission process is a fundamental component of the CEC and the NAAEC. As evidenced by the two letters attached, corrective action is required to restore the credibility of the citizen submission process.
2. Nature Canada welcomes the return of a granting mechanism to support local groups in their efforts to improve the environment and conserve ecosystems in North America through the North American Partnership for Environmental Community Action (NAPECA). The previous North American Fund for Environmental Cooperation was a very important link for the CEC to action on the ground. We encourage the CEC to ensure the new NAPECA adopts the high standards of transparency and independent and objective decision-making that made NAFEC such a success.

We look forward to the final 2010-2015 Strategic Plan for the CEC and to collaborate as may be appropriate in its implementation. Thank you in advance for your consideration of these comments.

Cliff Wallis

Alberta Wilderness Association Calgary, Alberta, Canada

The AWA strongly supports the work that the CEC has done on grasslands and biodiversity and encourages ongoing work in this area. We support the "approach that supports biodiversity and local communities in the grassland region by sharing best management practices to sustain biodiversity and improve economic performance of local communities." This region (grasslands) supports some of the highest concentrations of species at risk in North America and globally is considered a top priority ecosystem. The work from Canada to Mexico in this region needs to be supported and enhanced.

We would caution the CEC in modernizing the Citizen Submission process and ensure stakeholders from the public are involved in any reshaping here. The biggest barriers to success have been in the responses from government not in the submission process itself. The staff of CEC has usually done a good job of sorting through the frivolous requests and identifying key issues. The submission process itself is relatively simple although the information gathering by staff can be cumbersome at times.

We appreciate the limited resources that CEC has to work with and hope that some additional resources would be made available by the Council for the staff to do their work. Hence, we are reluctant to suggest additional areas to explore with such limited resources available. Future areas for growth could be in exploring models of citizen enforcement of environmental laws across the three countries and perhaps in other countries as well.

We and our associated organizations see a continuing need for the CEC and its public engagement work, perhaps now more than ever.

Fernando Leija Torres

México

COMENTARIOS AL PLAN ESTRATEGICO DE LA CCA 2010-2015

I. PARTICIPACION CIUDADANA

1. Considerada en la Misión de la CCA A TRAVES DE LA COOPERACION Y LA PARTICIPACION DE LOS CIUDADANOS, LA CCA CONTRIBUYE A LA CONSERVACION PROTECCION Y MEJORA DEL MEDIO AMBIENTE DE AMERICA DEL NORTE.
2. Establecido en el ultimo párrafo del índice 1 del documento. LOS GOBIERNOS DE CANADÁ, ESTADOS UNIDOS Y MEXICO Y LA SOCIEDAD CIVIL
3. Descrita en el índice 3 del documento. Y EL IMPULSO A LA PARTICIPACION CIUDADANA EN ASUNTOS AMBIENTALES DE ESCALA REGIONAL
4. Expuesta en el índice 5. LE A AANACA BUSCA AMPLIAR LA PARTICIPACION CIUDADANA EN LAPROTECCION DEL MEDIO AMBIENTE

La participación ciudadana, tan mencionada en el documento y tan ausente en su presencia activa por falta de apoyar este concepto tan amplio y tan redituable que permitiría aumentar el grado de cumplimiento de los objetivos, que origina una selección que margina para que solo cierto grupo tenga entrada al conocimiento ambiental, olvidando al estudiante, a la ama de casa, al profesor de aula., elementos activos de la ciudadanía que las circunstancias de una falta de visión les niegan el acceso al conocimiento.

II. EDUCACION AMBIENTAL

Dentro de las tres prioridades establecidas en el documento así como de sus objetivos estratégicos, la Educación ambiental tiene un papel muy fundamental, rubro que debe de considerarse con una estructura adecuada.

III. INDICADORES CONFIABLES

La evaluación de los planes operativos, deben de estar sujetos a los resultados de los indicadores confiables, que permitan rápidamente tener idea del comportamiento de los planes.

IV. VARIOS

Si se percibe avance dentro de las actividades de la CCA, en base a sus planes operativos en las que se detectan buenos resultados, pero si se pueden mejorara mucho más.

COMMENTS ON THE CEC STRATEGIC PLAN 2010-2015

I. PUBLIC PARTICIPATION

1. Considered in the CEC Mission: THROUGH COOPERATION AND PUBLIC PARTICIPATION, THE CEC FOSTERS THE CONSERVATION, PROTECTION AND ENHANCEMENT OF THE NORTH AMERICAN ENVIRONMENT.
2. Established in the last paragraph of index 1 of the document: THE GOVERNMENTS OF CANADA, MEXICO, AND THE UNITED STATES, AND NORTH AMERICAN CIVIL SOCIETY
3. Described in section 3 of the document: AND IN PROMOTING PUBLIC PARTICIPATION IN REGIONAL ENVIRONMENTAL MATTERS
4. Stated in section 5: NAPECA SEEKS TO WIDEN PUBLIC PARTICIPATION IN PROTECTING THE NORTH AMERICAN ENVIRONMENT

Public participation-so present in the document and yet so absent in practice due to the lack of support, and so convenient, as it would increase the fulfillment of objectives-is biased so that only a certain group has access to environmental knowledge, leaving behind the student, the housewife, the teacher: active members of society who, due to a lack of vision, are denied access to knowledge.

II. ENVIRONMENTAL EDUCATION

Of the three priorities established in the document and the strategic objectives thereof, environmental education has a fundamental role that should be enshrined in an appropriate structure.

III. RELIABLE INDICATORS

The evaluation of operating plans should be subject to the results of reliable indicators, enabling a quick idea of how the plans are functioning.

IV. MISCELLANEOUS

Having CEC activities be based on operating plans is a sign of progress and points to good results, but much more can be done.

Flores Yeffal, Jesús Armando

**Colegio de Ingenieros Civiles de Mexicali, Maran
Mexicali, México**

Incluir en cambio climático o comunidades saludables el tema de edificación sustentable en América del Norte. De preferencia ZEH, Zero Energy Homes con metas 2010-2015. Incluir en Comunidades y Ecosistemas saludables, un programa de ciudades vulnerables por riesgos trinacionales compartidos como zonas sísmicas, corrientes de agua y aire, zonas de huracanes, y las que procedan. Y si es posible, considerar un sistema de apoyo tipo político para crear acciones conjuntas a comunidades indígenas, ecosistemas o zonas comunes afectadas.

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Climate change or healthy communities should include the topic of sustainable building in North America. Preferably ZEH, Zero Energy Homes, with 2010-2015 goals. Healthy Communities and Ecosystems should include a program for cities vulnerable to shared trinational risks such as seismic zones, water and air currents, hurricane zones, and others. If possible, a political support system should be considered to help joint actions for affected indigenous communities, ecosystems and common zones.

Juan Guzmán-Aranda

**Alianza Reginal para la Conservación de Pastizales del Desierto Chihuahuense
Chihuahua, México**

I consider that it is important for the CEC to continue its support to grassland conservation in the 3 countries. Particularly in Mexico we are experiencing the biggest loss of native grasslands due to land use changes, primarily due to intensive agriculture. The problem is complex, and despite local actions, the degradation process continues. We are losing critical habitat for T&E species such as golden eagle, pronghorn and prairie dogs.

Jurgen Hoth

Personal opinion Chihuahua, México

I celebrate the renewed interest of the three North American countries in collaborating through the CEC to promote grassland conservation at a continental scale. As presented to the Ministers at the CEC Council by WWF (please see attached), I believe the CEC has already proven to be an effective vehicle for developing mechanisms of continental coordination aimed at the conservation and sustainable use of shared natural resources which should serve as platforms for the implementation of the CEC 2010-2015 plan.

The central grasslands, shared by Canada, Mexico and the USA, offer the CEC unique opportunities to capitalize on previous investments to effectively address the three new priority areas for the CEC:

a. Healthy communities

Many communities in the Chihuahuan Desert are suffering the result of water shortages due to the depletion of aquifers from unregulated over extraction of water used for agricultural purposes. Similarly there is a high risk of aquifer pollution related to the use of agrochemicals and excessive draw of water. Improving grasslands use can significantly help to maintain grasslands as rangeland and avoid having to sell properties and its immediate land use change towards agriculture. Meanwhile, better use of agrochemicals by intensive farmers will certainly represent improvements to health of human and the grassland ecosystem.

b. Climate Change

Up to now, grasslands have been scantily considered for their importance in terms of carbon accumulation and water recharge. Recent research, however, has helped to understand the great potential grasslands have on both accounts. Research carried out in Mexico (COLPOS and CONAFOR) has recently documented that one hectare of native grassland can accumulate 50 tons of carbon per hectare – as much as a hectare of pine-oak forest. And groundwater research at the University of Texas concludes that areas covered with grass have higher recharge values than those covered with trees.

Within the proposed CEC 2010-2015 strategic plan, grasslands offer a great opportunity for the CEC to help build the recognition of the economic value of these services, among other by policies and incentives to land owners to be developed in each country. More specifically, the three NA countries could use grasslands as a shared ecoregion in which to map accumulated carbon as part of “Exploration of potential common methodologies for gathering and analyzing carbon data.”

c. Greening the economy

As part of its Strategic objective No1. Aimed at improving private sector environmental performance in NA grasslands can serve also as a great model.

WWF is organizing a sustainable beef global forum (November 1-3, 2010), engaging Walmart and Cargill, among other global leaders from the beef industry will bring together diverse stakeholders to help advance the global beef system toward greater sustainability through open and balanced dialogue. There is a great potential for the CEC to benefit from this dialogue which shall help develop guidelines for improving the performance of the cattle industry in terms of sustainability (see attached)

Moreover, in the Chihuahuan Desert we developed the Strategy for the Conservation of Grasslands (ECOPAD), much inspired and in communication with partners from the Prairie Conservation Action Plans underway in Alberta, Manitoba and, especially, Saskatchewan. The potential to engage the cattle industry is further highlighted as last year WWF signed collaborative agreements with the National Cattlemen Association in the US and in 2005 with the Chihuahuan Regional Cattlemen Association.

Based upon this experience I think that the CEC can make great strides in addressing its three strategic priorities for 2010-2015, by focusing in grasslands and we much welcome such an approach.

Larry Hildebrand

**Coastal Zone Canada Association
Dartmouth, Nova Scotia, Canada**

A high priority issue for all 3 nations should be "[the stewardship of our oceans and coasts.](#)" This is supported by the July 19, 2010 Executive Order issued by President Obama and the August 1, 2010 released "[Charlottetown Declaration: Calling All Canadians to Heal our Coasts and Oceans](#)". Similar concern and political attention in Mexico can also be anticipated. This is a topic that requires North America-wide attention and cooperation.

Michael Keating

**Sustainability Report
Toronto, Ontario, Canada**

Your advice is to the three federal governments. I suggest you recommend that they lead by example. They need to make purchases and have performance that is low carbon [and other greenhouse gases] and helps to green the economy. Otherwise it's do as I say, not as I do.

Moisés Alcalde Segundo

Water and Environmental Solutions Today México, D.F., México

Se plantea la utilización de los residuos generados de las granjas piscícolas y agropecuarias para proveer beneficios a los habitantes rurales y al medio ambiente por medio de un biodigestor generador de biogás. La tecnología propuesta es la degradación anaerobia, utilizando biodigestores de polietileno de bajo costo que son prácticos para zonas rurales. Actualmente esta tecnología es utilizada en países en vías de desarrollo como Colombia, Costa Rica y México, entre otros.

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I propose using waste generated in fish and livestock farms to provide benefits to inhabitants in rural zones and to the environment through a biogas-generating biodigester. The proposed technology works by anaerobic degradation using low-cost polyethylene biodigesters that are practical in rural zones. This technology is currently being used in developing countries, such as Colombia, Costa Rica and Mexico, among others.

Peggy Strankman

**Canadian Cattlemen's Association
Calgary, Alberta, Canada**

Thank you for the opportunity to comment on the Strategic Plan of the Commission for Environmental Cooperation 2011-2015.

The Canadian Cattlemen's Association (CCA) is particularly supportive of Strategic Objective #2: Increased resilience of shared ecosystems at risk. We recognize that CEC has invested in sustainable use and biodiversity conservation in the past. Taking a trilateral approach to supporting an ecosystem approach to conservation will continue to pay dividends. The CCA believes that to be particularly true in the North American grasslands ecosystem.

CCA believes that the initiatives suggested in this strategy specifically sharing best management practices is an effective and efficient approach to sustaining biodiversity and improving economic performance of local communities.

CCA is fostering a relationship network with provincial forage and cattle associations to deliver programs such as the Grazing Mentorship which focuses on improving grass management to increase ecosystem function. One of the proposed next steps has been to build a biodiversity module to fit the GM program. To that end we have been opening and strengthening communication lines with conservation partners. It would be useful to explore our mutual interests in the conservation of the North American grasslands.

Peter Paul

**Natural Resources Canada
Ottawa, Canada**

My comments on the Draft CEC Strategic Plan, with particular focus on the need for environmental reporting which integrates the three priority themes. The CEC's North American Atlas has the potential to do this.

I see many strengths in the draft Strategic Plan. The three priority themes are clearly defined and suggested activities are included -- making the plan more tangible. Evaluating outcomes as well as outputs will ensure projects remain oriented to the CEC's mandate.

My concern relates to the importance of being able to report on the 'integrated' North American environment - finding a way to visualize the relationships between information gathered and reported individually for the three priority themes. For example, both communities and ecosystems will be influenced by a greener economy and by lower carbon emissions. When information from these three themes is displayed on a common collection of base maps, geographical patterns will emerge which will encourage the public and policy-makers to consider these interrelationships. Only by understanding these linkages can we collectively achieve development which is truly sustainable.

The North American Atlas project, launched on-line by the CEC in 2010 (www.cec.org/naatlas) has provided the initial framework for this visualization. The data behind each map is carefully quality-controlled and documented with metadata. All of the maps and data are available free-of-charge on-line. As more map content is added, the value of the Atlas will only increase.

My recommendation would be that the CEC's 2010 Strategic Plan explicitly include the North American Environmental Atlas as an integrated reporting tool for information gathered from the three priority themes.

At this point, including a NA Atlas 'place-holder' keeps the door open for whatever map content is required as the operational plan is implemented.

Ricardo Mancilla Rangel

Mar Ingeniería de Servicios

La Paz, B.C.Sur, México

A las acciones se deben incluir modificaciones a los reglamentos de construcción de los municipios del país en donde por obligación los grandes almacenes, tiendas departamentales, centros comerciales o bodegas para que implanten sistemas constructivos de ahorro de energía tales como 1.- El aislamiento térmico con espuma de poliuretano de cadena cerrada en alta densidad y protección elastomérica 2.- Domos solares y 3.- Concreto traslucido en los muros. Estas tres tecnologías conllevan un ahorro de energía millonario y a la vez evitan la generación de dicha energía y por consecuencia la contaminación que ello implica. Se deben de ampliar los fideicomisos de ahorro de energía (ASI) para financiar esas tecnologías a las construcciones ya existentes en comercios, casas habitación e industria.

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Actions should include modifications to the building regulations in the country's municipalities, in which large department stores, shopping centers or warehouses are required to implement energy-saving building systems such as: 1. High-density closed-chain polyurethane foam insulation and elastomer protection; 2. Sky lights; and 3. Translucent concrete walls. These three technologies carry energy savings in the millions, while avoiding the generation of such energy and the pollution it implies. Energy savings trusts (ASIs) should be extended to finance these technologies for existing commercial, residential and industrial construction.

Rodolfo Pérez G.

**Laboratorio de Investigación en procesos de tratamiento de agua - iiibio.org.mx
Puebla, México**

Me interesa participar en las medidas preventivas y acciones a realizar para resolver el problema de tener agua limpia en zonas que se encuentran aisladas y que se presenta la paradoja de tener miles de metros cúbicos de agua contaminada y ni un solo litro de agua potable.

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I am interested in participating in preventive measures and actions to solve the problem of having clean water in isolated areas, with the paradox of having thousands of cubic meters of polluted water and not a liter of drinkable water.

Sarah Stewart

**Humane Society International
Washington, DC, United States**

Humane Society International (HSI) appreciates the opportunity to submit these comments in response to your request for input regarding the Commission for Environmental Cooperation's (CEC) proposed Strategic Plan for 2010-2015.

HSI operates as the international arm of The Humane Society of the United States (HSUS). Founded in 1954, The HSUS is the largest animal protection organization in the United States, and in conjunction with HSI, maintains a constituency of over 11 million. As the international arm of

The HSUS, HSI works to promote the protection of all animals around the world by participating in programmatic activities in developing countries, advocating for the effective enforcement of international environmental treaties, and furthering humane and sustainable international trade policy.

HSI actively participates in discussions of international trade policy at the World Trade Organization addressing such issues as equitable development, humane and sustainable agriculture, environmental conservation, and wildlife and habitat protection. In addition, as a member of the Trade and Environment Policy Advisory Committee (TEPAC) in the United States, HSI advises the United States Trade Representative (USTR) and the United States Environmental Protection Agency (EPA) on trade and environment issues. HSI also implements a number of trade capacity building and technical assistance programs in developing WTO Member countries to support sustainable economic development, including humane agricultural practices and habitat protection policies.

COMMENTS ON THE CEC'S PROPOSED STRATEGIC PLAN: 2010-2015

Wildlife Enforcement

HSI attended the June 2009 Ministerial Conference in Denver, CO when the three environmental priorities for the 2010-2015 timeframe were first outlined; namely, healthy communities and ecosystems, climate change, and greening North American corridors. In November 2009, HSI was invited to give a presentation in Monterrey, MX at a workshop hosted by the CEC on *Environmental Compliance along North American Trade Corridors*. There, HSI proposed that wildlife enforcement and protection should play a key role in the CEC's future work given that illegal wildlife trade in North America threatens the region's rich biodiversity and contributes to criminal activity that stretches across borders.

Based on this presentation, HSI submitted a proposal to the CEC in December 2009 outlining specific steps the CEC can take in the coming years to address the illegal wildlife trade in North

America. HSI explained that this would fall squarely into the priority objectives set forth at the June 2009 Ministerial Conference. A copy of this proposal is attached as **Annex A**.

In particular, HSI explained:

- First, relying on illegal wildlife trade as source of income entangles local communities in illicit activities that disrupt the ecosystems they rely on for legitimate purposes, such as legal trade and food security. Providing local communities with resources and training to engage in sustainable and legal income options, such as the creation of ecotourism programs, is directly tied to the goal of healthy communities and ecosystems.
- Second, numerous sources have found that climate change will have a devastating impact on wildlife due to changes in natural habitats, such as for polar bears and seals that rely on sea ice. Illegal wildlife trade also has significant negative impacts on threatened and endangered species. Together, climate change and illegal wildlife trade have the potential to drive numerous species to extinction. Thus, climate change strategies must take account of the impact on wildlife and habitat (alone and combined with illegal wildlife trade).
- Finally, when looking at ways to green the economy in North America, such as effective enforcement of environmental laws, a key component will be enforcing laws related to legal and illegal trade in plants and animals. All three North American countries are parties to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and have committed to implementing CITES through their national laws. This is one of the only environmental obligations common to all three countries.

Given the importance of these issues, HSI is pleased to see that the CEC's 2010-2015 draft

Strategic Plan highlights wildlife enforcement.

Specifically, HSI is encouraged by the following in the *Section on Healthy Communities and Ecosystems*:

- The plan mentions building the capacity and supporting community projects in indigenous and local communities to "design and implement innovative environmental protection and conservation strategies, particularly regarding natural resources (e.g., forests and wildlife), an potable water." SP at p. 6. As explained above, it is critical to provide communities with legal and viable alternatives to poaching and illegal wildlife trade, such as ecotourism. This can be done through trade capacity building programs aimed at sustainable and non-extractive ecotourism such as dolphin watching.
- Attention will be paid to both marine and terrestrial ecosystems. HSI believes this is extremely important and that it is imperative to "continue to build on the list of key species and spaces of common conservation concern and implement conservation and management initiatives in our shared ecosystems." SP at 7.

- Increasing public awareness, engagement and capacity on issues like biodiversity conservation and sustainable use. This is an integral part of the plan. HSI strongly recommends, however, that sustainable use should explicitly be defined to include "non-consumptive use" like ecotourism.
- Strategic Objective #4 is "Strengthening Regional Environmental and Wildlife Law Enforcement." HSI is very encouraged to see this incorporated into the draft Strategic Plan. HSI refers to its proposal attached in Annex A for more detailed suggestions on how this could be carried out.

North American Partnership for Environmental Community Action (NAPECA)

HSI is very encouraged that the Council is focused on strengthening partnerships and widening public participation through NAPECA. HSI strongly urges that there be a funding component to this program. There used to be a grant program through the CEC, but it expired in 2003. To have the intended effect, it will be necessary to ensure that there are funds for the environmental initiatives mentioned in the 2010-2015 plan. It is important to emphasize that this should not only apply to activities under NAPECA, but also to environmental trade capacity building more broadly.

Citizen Submission Process

As a non-governmental organization, HSI believes the successful operation of the citizen submission process set forth in Articles 14 and 15 of the North American Agreement on Environmental Cooperation (NAAEC) is critical to ensuring effective enforcement of environmental laws in the U.S., Canada and Mexico. The 2010-2015 draft Strategic Plan indicates that the "CEC will continue to process citizen submissions in an objective, rigorous and transparent manner, with a view to ensuring timeliness and efficiency. Council has directed the CEC to work on modernizing the citizen submission process to ensure its continued success." SP at p. 13 (emphasis added).

In the summer of 2007, HSI along with two Mexican NGOs, CEMDA and COMARINO, filed a submission with the CEC alleging that Canada was failing to enforce its environmental laws concerning the commercial seal hunt. *See* SEM-07-003 (Seal Hunting). As a submitter, HSI became familiar with the citizen submission process. To this end, HSI has some suggestions to help with the modernization process.

First, to HSI's knowledge, the CEC's working procedures have not been reviewed or revised since 2002. HSI believes that for the citizen submission process to operate effectively, it must be monitored, and lessons learned must be incorporated into the working procedures as necessary. This will aid in consistency in the CEC's decision-making and allow the submission process to evolve.

Second, and related to the point above, one issue that HSI believes must be considered is the transparency of CEC determinations. There are very limited guidelines for the CEC Secretariat to follow in making their determinations. Some determinations are extensively detailed, while

others are brief and the reasoning of the determination is hard to discern. HSI is of the view that one way this could be remedied is to revise the working procedures to provide the CEC with a framework that will allow for consistency among determinations. For example, at present, the working procedures regarding determinations as to whether the submissions meet the criteria under Article 14 only require that the Secretariat "inform the submitter of its reason(s)..." *See, e.g.,* CEC Working Procedures at Sections 6.1, 6.3. The working procedures could be amended to require the Secretariat to provide "detailed reasoning and explanation" as to why a submission fails to meet certain criteria, rather than just list the reasons. Indeed, for determinations concerning whether a response is merited from the Party under Section 8.1, the working procedures only require the Secretariat to notify the submitter. Here again, HSI strongly urges that the Secretariat be required to provide detailed reasoning prior to terminating the process, particularly in cases where the submitter has provided additional information after the initial submission.

Finally, HSI believes the working procedures should require the CEC to respond to "material" arguments made by interested parties (arguments that are likely to influence the ultimate determination made). Without such transparency, determinations will be unpredictable, discouraging submitters and undermining the efficacy of the overall process. At a minimum, in the absence of a traditional appeals process, there should be a process in which submitters can request further explanation from the CEC if their submission is rejected without detailed explanation. HSI is hopeful that the suggestions outlined above will greatly add to the success of the submissions process.

Steve Hellem

**Suppliers Partnership for the Environment (SP)
Washington, DC, United States**

Dear JPAC Members,

On behalf of the members of the Suppliers Partnership for the Environment (SP) (www.supplierspartnership.org), an innovative collaboration of leading automobile OEM's, and large and small auto suppliers from the complete spectrum of the automobile supply chain, I would like to thank the Joint Public Advisory Committee (JPAC) for the opportunity to provide comments on the CEC's strategic plan.

SP has been a long time supporter and participant in CEC's activities relating to environmental issues and opportunities in the automobile supply chain. Two of the specific trilateral environmental priorities included in the CEC final draft strategic plan have particular relevance, interest and opportunity for CEC and SP to work collaboratively to improve environmental protection that integrates ecological, economic and social factors affecting the North American environment.

The first relates to the Healthy Communities and Ecosystems priority that relates to an "enhanced regional approach to sound management of chemicals." This objective highlights the need for CEC to establish compatible approaches for identifying and tracking chemicals in commerce in North America and implementing risk reduction strategies to reduce the exposure of North Americans and their environments to chemicals of mutual concern.

On June 24, 2009, SP members made a presentation during the CEC's Sixteenth Regular Council Meeting addressing ways that the three countries within CEC could work collaboratively to support a Materials Assessment Strategy (MAS) Program that would enable innovations in automotive products through a common chemical assessment and management strategy in North America¹. In those comments, SP respectfully recommended that CEC support and coordinate with SP an effort to provide a web-based, automated chemical assessment solution to all automotive original equipment manufacturers and their suppliers in North America for two years. Such a solution, if accepted by the CEC, could serve as a pilot project on which other sector based initiatives could be initiated to address chemicals in a wide array of manufactured products. (1 See Attachments A and B)

The second relates to Greening the Economy of North America. The strategic plan has direct and immediate opportunities for the members of SP to work collaboratively with CEC because of the importance of the North American Automobile Industry, and SP's broad based membership and the focus that SP has on the sharing of best practices and

technological innovations. SP's membership also includes a wide range of small and medium size enterprises that are directly engaged in the supply chain of major automotive manufacturers. SP has also recently created a new Energy and Water Utility Managers Forum that is designed to provide individuals having responsibility for energy and water issues across the automotive supply chain an opportunity to benchmark, work together and learn from each other about energy efficiency and carbon reduction and water sustainability activities and good practices. SP strongly supports and urges action to implement work that will, as included in the CEC strategic plan, "build on our successes in the automotive manufacturing sector through continued efforts to green critical components of supply chains across the continent and support ongoing recovery of this important sector."

In 2009, members of the Suppliers Partnership for the Environment (SP), including GM, Ford and Chrysler, were key participants in a project of CEC and contributed to the initial draft of a North American Automotive Industry Sustainability Roadmap. The draft Roadmap, "Creating Economic Opportunities through Environmental Technologies and Innovations for the North American Automotive Industry: A Roadmap", outlined five key opportunities for the North American Automotive Industry:

1. Accelerating the greening of automotive products in North America through automotive chemical innovation.
2. Creating systems to identify and utilize automotive manufacturing environmental technology opportunities to improve the environment and the financial viability of the automobile supply chain.
3. Enhancing the automotive industry and its supply chain by reducing energy consumption and the impact of the automobile supply chain on the global environment.
4. Addressing water sustainability dilemmas, challenges and opportunities facing the automotive industry and its supply chain.
5. Creating processes and systems that will support North American Resource Management programs within the automobile supply chain.

In addition to the completion of the draft Roadmap, several key objectives were reached including engaging core auto manufacturers and suppliers in the US, Mexico and Canada, opening a trilateral dialogue and increasing the exchange of tools and resources for greening the North American automotive supply chain. Yet, significant opportunities remain to continue to encourage buy-in from manufacturers, build connections, perform training and help implement a partnership to support the greening of the auto supply chain in North America and begin to address the opportunities identified in the Roadmap.

As noted in Eastern Research Group's (ERG) Report on the Accomplishments of the CEC Under the 2005–2010 Strategic Plan, "The North American auto industry is undergoing one of the most profound restructurings of its history. There are significant opportunities to

encourage the future industry to take advantage of the greenest alternatives and innovations along the entire supply chain." As proposed in CEC's draft Strategic Plan, we would encourage the JPAC to build on CEC's successes in the automotive manufacturing sector, through continued efforts to green critical components of supply chains across the continent and support the ongoing recovery of this important sector.

We believe that the five key opportunities identified through the automotive sector roadmap initiative are aligned with CEC's environmental priority of "Greening the Economy in North America" and strategic objective of "improving private sector environmental performance in North America." We encourage the JPAC to urge the CEC to build on the good work CEC has begun and continue to support the effort to Green the North American Automotive Supply Chain within the next five years.

In conclusion, SP would respectfully recommend that JPAC include in their recommendation to the CEC, that CEC support and coordinate with SP to create a pilot project to provide a web-based, automated chemical assessment solution to all automotive original equipment manufacturers and their suppliers in North America for two years.

We also respectfully encourage JPAC to recommend that CEC continue to build on the good work it has already initiated in the North American auto industry and its supply chain to identify specific projects and activities in the five key opportunities identified in the draft document that SP helped develop, "Creating Economic Opportunities through Environmental Technologies and Innovations for the North American Automotive Industry: A Roadmap" that can help Green the Economy in North America.

SP appreciates the opportunity that JPAC has provided to comment on CEC's Strategic Plan and looks forward to working with JPAC and CEC in the future to, as CEC has described it, "enhance the North American environment for the benefit of present and future generations."