INDEPENDENT SECRETARIAT REPORTS

Article 13 of the North American Agreement on Environmental Cooperation (NAAEC) gives the Secretariat of the Commission for Environmental Cooperation (CEC) authority to prepare reports on important environmental issues and present them to the governments and people of Canada, Mexico, and the United States. The Secretariat may prepare reports on any matter within the scope of the annual program or operational plan. If the report is intended to address any other environmental issue, the CEC Council has to authorize its preparation by a two-thirds vote. Independent Secretariat reports are not meant to address a failure of one of the Parties to effectively enforce its environmental laws, since Articles 14 and 15 of NAAEC establish a special process to address such matters.[1]

Independent experts of recognized authority in the matter under review may assist the Secretariat in the preparation of a report. The Secretariat has produced the following 8 Independent Reports.

Hazardous Trade? An Examination of US-generated Spent Lead-acid Battery Exports and Secondary Lead Recycling in Canada, Mexico and the United States (2013)

Spent lead-acid batteries (SLABs) from cars and trucks are one of the world's most-recycled consumer products because the lead they contain is valuable and can be processed for re-use. Lead is a persistent, bioaccumulative, and toxic substance and how lead-acid batteries are recycled is an important economic, public health and environmental issue. The Secretariat initiated this study in response to concerns that some US-generated SLABs are being exported to Mexico for recycling to avoid the costs of the stricter environmental and health protection laws prevalent in the United States.

The report concluded that the regulatory frameworks covering secondary lead smelters in the United States, Canada and Mexico do not provide equivalent levels of environmental and health protection. Currently, the United States has the most stringent overall framework, while Mexico, with significant gaps in its existing regulatory framework, is the farthest from US standards in terms of certain emission controls and requirements. According to estimates, between 2004 and 2011, US net exports to Mexico increased by between 449 and 525 percent.

Among other actions, the report recommends that the governments in Canada and Mexico commit to achieving levels of environmental and health protections in the secondary lead industry that are functionally equivalent to those in the US.

View the Environmental Hazards of Transborder Lead Battery Recycling Report

[1] A separate *Backgrounder* addresses the submission on enforcement matters (SEM) process under Articles 14 and 15 of NAAEC.

Destination Sustainability: Reducing Greenhouse Gas Emissions from Freight Transport in North America (2011)

This report presents findings and recommendations on environmentally sustainable freight transportation in North America.

Freight transportation is a major source of carbon dioxide (CO_2), the most important greenhouse gas (GHG) contributing to global climate change. The transportation sector as a whole contributes about 26 percent of total greenhouse gas emissions in North America. At least a quarter of that share is related to transporting freight. It is estimated that the North American economy will grow by 70–130% between the years 2005 and 2030. Throughout this period, the transportation sector is expected to maintain its position as a dominant end-user of energy.

To avoid a corresponding increase in freight-related GHG emissions, we will need not only continued progress in developing fuel economy, technologies, and alternative fuels, but also the vision and will to create an integrated, intelligent, freight transportation system in North America. Ensuring that the freight system is environmentally sustainable in the future also requires implementing a broad set of cooperative policies and actions to optimize demand, invest in infrastructure, set a price for carbon, ensure an optimal modal mix (e.g., truck/rail/marine), and manage our borders in the most secure and efficient manner possible.

View the Freight Transport in North America Report

Green Building in North America: Opportunities and Challenges (2008)

Green building refers to the use of environmentally preferable practices and materials in the design, location, construction, operation and disposal of buildings. It applies to both renovation and retrofitting of existing buildings and construction of new buildings, whether residential or commercial, public or private.

By continually improving how we locate, design, build, operate, and retrofit buildings, North American leaders can significantly improve the well-being of North America.

Advanced energy-saving technologies applied in buildings can result in enormous reductions in demand for fossil fuels and emissions of greenhouse gases (GHGs). Better design and building practices can also help address environmental challenges such as natural-resource depletion, waste disposal, and air, water, and soil pollution. Green building can also help achieve gains in human health and prosperity.

In this report, the Secretariat of the CEC recommends that North American leaders make green building a foundational driver for environmental, social, and economic improvement in Canada, Mexico, and the United States.

View the Green Building Report

Maize and Biodiversity: The Effects of Transgenic Maize in Mexico (2004)

This independent report was prepared by the CEC Secretariat, following a number of letters and petitions from members of civil society in Mexico and worldwide requesting that the Secretariat initiate a report on the potential effects of transgenic maize on traditional varieties of maize in Mexico.

The key concern is *gene flow* from genetically modified plants—or transgenic corn—to Mexican maize and its wild relatives. Such gene flow may threaten the diversity of *land races*—in the case of traditional maize, crop varieties with a broad genetic base resulting from thousands of years of development and adaptation to particular soil types and microclimates. This is of particular concern not only because of the socio-cultural and economic importance of traditional maize agriculture, but because Mexico is a center of origin for this important food crop.

The report includes findings and recommendations developed by the independent advisory group selected by the Secretariat, related to gene flow, the conservation of biodiversity, health and sociocultural matters. The numerous recommendations include enforcing the moratorium on planting commercial transgenic maize in Mexico "until adequate research and risk/benefit assessments of the effects of gene flow from transgenic maize to landraces and teosinte have been conducted and more information is made available to the campesino farming community."

View the Maize and Biodiversity Report

Environmental Challenges and Opportunities of the Evolving North American Electricity Market (2002)

The opening of electricity markets to competition is underway or being considered in Canada, Mexico and the United States, and cross-border trade in electricity is growing, bolstered in part by the long-term stability conferred by NAFTA's trade and investment rules. How can we ensure that North Americans have an affordable and abundant supply of electricity without compromising environmental and health objectives?

Power plants in North America, for example, reported the largest toxic releases in 1999 among all reporting industrial sectors—over 450,000 metric tonnes (500,000 short tons) of pollutants to air, land, and water. In the US, the electricity sector is responsible for 25 percent of emissions to air of nitrogen oxides, 70 percent of sulfur dioxide, 25 percent of mercury, and 35 percent of carbon dioxide.

The advisory board that produced the report called upon the NAFTA partners to support, among other things, a framework for a North American air emissions trading regime for sulfur dioxide and nitrogen oxides; and the development of a carbon emissions trading regime to address climate change and promote forest conservation, energy efficiency, and renewable energy.

View the Electricity and the Environment Report

Ribbon of Life: An Agenda for Preserving Transboundary Migratory Bird Habitat on the Upper San Pedro River (1999)

This report puts forth a number of pragmatic actions aimed at balancing human activities with the preservation of important wildlife habitat along the upper San Pedro River, a lifeline for a great

variety of birds that winter in Mexico and breed during the summer months in the United States and Canada

Economic and ecological values converge dramatically along the upper San Pedro River. Originating in Sonora, Mexico, the San Pedro River runs north into Arizona, where the river and the aquifer that helps supply it nourish a diverse and growing community of ranchers, farmers, urban dwellers, and military-base residents. The San Pedro watershed is also home to one of the largest surviving expanses of southwestern cottonwood-willow riparian forest, serving as an important corridor for millions of migratory birds.

The CEC Upper San Pedro River Initiative provides a ground-level look at the many challenges and opportunities that local communities, states, provinces and national governments will face as they consider measures to protect migratory species. And, as the experience in the San Pedro valley itself attests, the success of these conservation measures will require scientifically reliable and publicly available information, community involvement and an unprecedented degree of cross-border cooperation.

View the Ribbon of Life Report

Continental Pollutant Pathways: An Agenda for Cooperation to Address Long-Range Transport of Air Pollutants in North America (1997)

Continental pollutants are affecting human health and the environment throughout North America. There are populations in all three countries that are more vulnerable to the effects of pollutants. They include children, pregnant women and women of childbearing age, the elderly, people with respiratory problems, and indigenous peoples and others who rely on fish and wildlife as a major part of their diet. Developing embryos and nursing infants are also particularly at risk.

Major sources of continental pollutants include electric power plants, the transportation sector, the combustion of fossil fuels by some industries, municipal and medical waste incinerators, as well as chemicals used in agriculture. Improved emission-reduction technologies and pollution prevention techniques and processes are available to reduce emissions of many of these pollutants. Comprehensive and up-to-date information and understanding are essential for effective and efficient control strategies at the domestic and international levels.

This report concluded that a central issue is the need to establish an effective collaborative mechanism (or mechanisms) with the authority, expertise, and motivation to develop and take the steps that are needed to ensure that the continental pollutant pathways issue becomes, and remains, a significant trinational priority.

View the Continental Pollutant Pathways Report

The Death of Migratory Birds at the Silva Reservoir (1994–95) (1995)

This CEC Secretariat report was prepared at the request of non-government organizations from the United States and Mexico, following the winter of 1994–95 mass mortality of migratory waterbirds in the Presa de Silva (Silva Reservoir), located in Guanajuato State.

The report concluded that botulism was the overriding cause of mortality in waterbirds at the Presa de Silva. Pollution of the reservoir by untreated municipal sewage contributes to the extremely eutrophic state of the reservoir, a situation that is often an important factor in the initiation of botulism outbreaks.

The report includes recommendations for preventing future mass mortalities and offers lessons for the management of bird habitats in other areas of North America.

View the Silva Report