



**Joint Public Advisory Committee (JPAC) Activity Report
to the Council of the Commission for Environmental Cooperation (CEC)
since June 2008**

This table is intended to provide Council with an overview of JPAC activities since the June 2008 Regular Session of Council to assist discussions during the annual joint Council/JPAC session in June 2009.

Please note that JPAC activities have been undertaken 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”; and with Article 16(5), which provides that JPAC “may provide relevant technical, scientific or other information to the Secretariat, including for purposes of developing a factual record under Article 15. The Secretariat shall forward to the Council copies of any such information.”

Please note the internal Council policy for producing responses to JPAC advice states that a response should be sent out **“within eight weeks of receiving the advice.”**

JPAC Activity and Context	Description	Status or Result
JPAC Meeting with the CEC Secretariat Program Staff 30 September 2008 CEC Secretariat Headquarters	The JPAC members met privately with the CEC Secretariat program staff to discuss the first draft of the CEC 2009 Operational Plan.	As a result of this meeting, JPAC formulated a draft Advice to Council, which was further discussed and then finalized during their third public meeting of the year, which was held in Puerto Vallarta, Mexico, in December 2008. <i>(Distributed on 4 December 2008)</i>
US NAC & GAC Meeting 23–24 October 2008 Yuma, Arizona	On behalf of the JPAC Chair, JPAC member Jean-Guy Dépôt provided an update on JPAC activities, which included: ▪ The private meeting between members of JPAC and Secretariat staff to discuss in detail the CEC projects under the first draft of the 2009 Operational Plan. ▪ Status of the JPAC Advice to Council on the first draft of the Operational Plan and the JPAC-led 30-day public consultation period on the CEC website. ▪ JPAC’s final meeting of the year: North American Workshop on Environmental Sustainability and Competitiveness, on 2–3 December in Puerto Vallarta, México. The principle objective of the meeting	<i>Ongoing</i>

	was to explore the relationship between environmental sustainability and competitiveness from a North American perspective, and identify opportunities for regional cooperation.	
Letter to Environment Canada From the JPAC Chair for 2008 to the Ministers (Distributed on 24 November 2008)	The JPAC Chair, Jane Gardner, sent a letter to the Council members on behalf of JPAC, concerning the expiration of the terms of the four Canadian members on 31 December 2008. Given the urgency of the situation, she respectfully requested that the selection process be expedited, and that a decision be made, ideally before their public meeting on 2 and 3 December in Puerto Vallarta, Mexico. She also sought clarification on whether the current members might perhaps continue temporarily in 2009 until a selection was made by Environment Canada.	Council replied, expressing their support of JPAC in its role as an advisory body. They recognized that the situation had implications for the work of JPAC and assured that the Canadian appointments would be made shortly. (Response received on 9 June 2009)
Joint Public Advisory Committee Regular Session 08-03 2–3 December 2008 “North American Workshop on Environmental Sustainability and Competitiveness” Puerto Vallarta, Mexico	The main objective of the meeting was to explore the relationship between environmental sustainability and competitiveness from a North American perspective, and identify opportunities for regional cooperation. The meeting was divided into three panels and one expert roundtable. Panel I: Drivers and barriers to improvements in environmental performance. This panel explored what motivates industry-wide improvements in environmental performance, how industry is responding to these forces and how they are likely to change in the future. Panel II: Drivers and barriers to environmental performance innovation. This portion examined the drivers and barriers that motivate industry-wide improvements in environmental performance. Panel III: How are corporate improvements in environmental performance influencing business competitiveness? This final panel	During the portion of the JPAC Regular Session, the members discussed and agreed to provide the Council with two Advices: Advice 08-02: Public comment period for the proposed Operational Plan for the Commission for Environmental Cooperation (CEC) of North America for 2009, and Advice 08-03: Proposed Operational Plan for the Commission for Environmental Cooperation (CEC) of North America for 2009. (Distributed on 4 December 2008)

	looked at whether improvements in environmental performance, or its drivers, affect competitiveness and what would be the specific considerations for North America. Roundtable: How can mutual supportiveness between environmental performance and competitiveness be promoted? The experts at this roundtable discussed whether there is room for the participation of various sectors (private sector, public sector, academia, nongovernmental organizations, local and national governments) in defining and attaining improved environmental performance, as well as their roles.	
Advice to Council 08-02 Re: Public comment period for the proposed Operational Plan for the Commission for Environmental Cooperation (CEC) of North America for 2009 (Distributed on 4 December 2008)	JPAC urged the Council to approve the third draft of the CEC Operational Plan for immediate release and to post the document for public comment. They also informed the Council that they would seek input from the public for a period of 45 days.	Council acknowledged the importance of timely release and posting of the CEC Operational Plan, to allow ample opportunity for the public to develop and submit comments to the Secretariat. (Response received on 9 June 2009)
Advice to Council 08-03 Re: Proposed Operational Plan for the Commission for Environmental Cooperation (CEC) of North America for 2009 (Distributed on 4 December 2008)	After having received the proposed CEC Operational Plan for 2009, and discussed the first draft with the Secretariat staff in a private session held on 30 September 2008, in Montreal, Canada; followed by the second and third drafts, JPAC submitted a series of comments for Council's consideration which included: Impact of CEC Projects: JPAC recommended that the CEC provide a clear indication of the impact of work done in the past, focusing upon how 'on-the-ground' progress has been made in the relevant field, environmental issue, etc. Environmental Information: JPAC expressed their strong support for the mapping project, and suggested that the Secretariat expand its partnerships to include other organizations involved in mapping. This area would seem to be a natural fit for partnerships with	The Council replied and offered clarifications and comments on some of the points raised by the JPAC in their Advice. Among these: • Council's continued work with the CEC Secretariat and country experts, to ensure that projects in the Operational plan have a clear plan to deliver substantive results • How the Mapping North American Environmental Issues project fulfills a key mandate of the CEC, noting that access to reliable and pertinent information is critical for decision makers • The new direction for the SMOC initiative, from actions to reduce risks from individuals and specific chemicals, to a more comprehensive approach

	indigenous organizations, which often rely heavily on mapping to engage in the protection of their territories. Article 13 Report: JPAC suggested that the Secretariat look at life-cycle analyses of impacts of transportation, including land-, water- and air-based transportation of goods and people, in a North American context. In particular, focusing upon the ecosystemic, environmental, social and economic impacts and benefits from a carbon perspective would be very important analyses upon which to build cooperative efforts. Trade, Environment and Sustainability Work Program: JPAC recommended that the CEC take the opportunity to revisit assumptions about the most effective mechanism to evaluate the trade/environment nexus. They feel that the excellent academic analysis that has been conducted to-date can be built upon by shifting from a forensic analysis of the environmental impacts on trade, to an approach that is forward-looking—trying to analyze issues that are pressing or upcoming. While JPAC supports analysis in projects related to conservation, in particular regarding the identification of ecosystem-based values, they recommended caution regarding the element of the Biodiversity and Trade work plan related to harnessing market forces to achieve water protection and conservation. JPAC expressed support for the Green Building project and under pollutants and health, expressed concern about the shift away from the ‘NARAP’ approach to addressing chemicals in North America, to a risk management approach. JPAC also supports the proposed forum aimed at information exchange to support and improve air quality public policy.	through strategies for catalyzing cooperation. • Council will work with the JPAC and the Secretariat toward finding ways to continue to improve the operational planning process <i>(Response received on 9 June 2009)</i>
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	JPAC is pleased with the communication actions outlined in the 2009 Operational Plan, aimed at raising awareness and reaching out to specialized audiences with project-related information. They are of the view that CEC work products and results should be more broadly disseminated, and JPAC will consider how it may, through its networks, play a role in achieving this. JPAC expressed their interest in participating more fully in the implementation of the Operational Plan, where relevant and helpful. They are willing to review the Plan in greater detail to determine areas, projects, initiatives where they may be able to contribute more fully or actively support, should the Council so wish.	
Session 08-03 of the Alternate Representatives 22 December 2008 Conference call	The JPAC Chair, Jane Gardner, reported that JPAC had completed its meetings for 2008 and that a new JPAC Chair, Nelly Correa from Mexico, had been elected for 2009. Acknowledging the commitment and talent of Ms. Correa, she stated JPAC's intention to hold three meetings in 2009 beginning with a meeting during the week of 6 April 2009, in Mexico at a location to be confirmed.	The US Alternate representative thanked the JPAC Chair for her dedication to the CEC and for fulfilling with success her second mandate as JPAC Chair. He also expressed appreciation for JPAC's Advice 08-03 on the draft 2009 Operational Plan and on behalf of the Council, indicated that a response would be forthcoming.
Letter to Environment Canada From the JPAC Chair for 2009 to Minister Jim Prentice (Distributed on 16 January 2009)	The JPAC Chair, Adriana Nelly Correa, respectfully asked that Canada consider appointing in the interim the former Canadian JPAC members. She noted the implications that these unfilled appointments would have, on their [JPAC's] operational and decision-making capabilities.	Council replied by expressing their support to the JPAC in its role as an Advisory body. They recognized that the situation had implications on the work of the JPAC and assured that the Canadian appointments would be made shortly. (Response received on 9 June 2009)
Letter to Council From the JPAC Chair for 2009 to the Ministers (Distributed on 19 March 2009)	The JPAC Chair, Adriana Nelly Correa, sent a letter to the Council requesting that the missing members to the JPAC be appointed without delay.	Council replied by expressing their support to the JPAC in its role as an Advisory body. They recognized that the situation had implications on the work of the JPAC and

	She noted that the situation was affecting the operational and decision-making capacity of the main advisory body of the CEC and had forced them to cancel the meeting planned for Monterrey, Mexico, on 15–16 April 2009.	assured that the Canadian appointments would be made shortly. <i>(Response received on 9 June 2009)</i>
US NAC & GAC Meeting 27–28 April 2009 Alexandria, VA	The JPAC Chair, Adriana Nelly Correa, provided a report on JPAC activities since the last US NAC & GAC meeting, including an update on their Workshop on Climate Change and cooperation in North America, to take place in conjunction with the Council Session	<i>On going</i>
BCWG Working Group Meeting 10–11 May 2009 Miami, Florida	The JPAC Chair, Adriana Nelly Correa, was invited to attend the Biodiversity Conservation Working Group meeting, which had as an objective to review the CEC's Strategy for the Conservation of Biodiversity.	<i>On going</i>