



Commission for Environmental Cooperation of North America

Joint Public Advisory Committee Regular Session 06-03

**Montréal, Québec
September 15, 2006**

Summary Record¹

The Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) of North America held its third regular session for 2006 in Montreal, Canada, on 15 September. The main objective of this session was to provide the public with a preliminary description and opportunity to discuss the proposed 2007-2009 Operational Plan. Key members of the CEC Secretariat staff were present to respond to questions and engage in the discussion.

This Summary Record reports on each agenda item, records all decisions made by the Committee and identified action items and responsibilities. (Refer to Annex A for the agenda and Annex B for list of participants)

Welcome and opening remarks by the JPAC Chair, Carlos Sandoval

The JPAC chair welcomed participants to the JPAC Regular Session and then proceeded to provide the audience with a brief overview of JPAC and its mandate.

JPAC is composed of fifteen volunteer citizens, five appointed by each Party; its mandate is to provide advice to Council on any matter within the scope of the North American Agreement on Environmental Cooperation (NAAEC) and perform any other functions that Council may direct. JPAC may provide policy, technical, scientific or other information to the Secretariat including for the purposes of developing a factual record under Articles 14 and 15.

JPAC's vision is to promote continental cooperation in ecosystem protection and sustainable economic development and to ensure active public participation and transparency in the actions of the Commission. The members share a commitment to preserve and enhance the North American environment and to achieve a sustainable society. JPAC works by consensus and recognizes its functions in one response as a microcosm of the public – independent individuals who contribute diverse institutional experience and cultural perspectives.

JPAC has a certain number of working groups comprising one person per country from among its members. Their mandate is to prepare a draft advice to Council on a specific issue for JPAC approval and to attend selected CEC meetings on behalf of the JPAC.

¹ Disclaimer: Although this summary was prepared with care, readers should be advised that while JPAC members have approved it, it has not been reviewed nor approved by the interveners and therefore may not accurately reflect their statements.

JPAC meets three to four times a year rotating among the countries. One of these meetings is always held in conjunction with the regular session of Council in June. The JPAC Chair also participates in meetings of the Alternate Representatives and meets with Council once a year during the Council session. JPAC also meets twice a year directly with the Alternate Representatives. JPAC members also attend various meetings related to the CEC.

He then explained the objectives of the session:

- Present an update on Submissions and Enforcement Matters
- Update on the Article 13 Report on Green Building in North America
- Presentation of the proposed 2007-2009 CEC Operational Plan
- Discuss on a potential advice to Council on the proposed 2007-2009 CEC Operational Plan

Approval of the Provisional Agenda

The agenda for the session was approved.

Reports from the National and Governmental Advisory Committee Representatives

Each Party appoints a National Advisory Committee, commonly referred to as NAC, made up of members of its public, including representatives of non-governmental organizations. Their role is to advise their Council member on the implementation of the NAAEC. Also each Party is to convene a Governmental Advisory Committee, referred to as GAC, including representatives of various levels of government. Both Canada and the US have created their committees. Their role is to advise their governments on the implementation of the NAAEC. The Mexican NAC comprised of 17 representatives from the different regions in Mexico; was officially ratified by the government of Mexico earlier in June.

The JPAC Chair invited Mrs. Patricia Muñoz of the Mexican NAC to address the audience, who reiterated their strong interest in being more involved in the activities of the CEC, particularly since being acknowledged as a formal national advisory committee. She explained that even though their mandate was to provide counsel to the Mexican Government; they were planning to actively pursue closer collaboration with their Canadian and American counterparts, mainly on capacity building projects and increased participation at each others meetings.

The JPAC Chair informed the audience that unfortunately the NAC/GAC representatives from Canada and the United States were not in attendance; however he was pleased to see at the meeting the General Standing Committee Representatives from both countries, Julie Pelletier and Dan Thompson respectively.

**Update on Submissions and Enforcement Matters by Geoffrey Garver, Director,
Submissions and Enforcement Matters Unit**

The JPAC Chair invited the Director of the Submissions and Enforcement Matters Unit, Geoffrey Garver, to make his presentation. The Director began by providing an update on the submissions received, the most recent one being the Ex Hacienda El Hospital II, in which the submitters claim that Mexico is failing to effectively enforce its environmental law with respect to alleged illegal acts occurring during the operation, closing and dismantling of a facility for pigments for paint production operated by BASF Mexicana, S.A. de C.V. ("BASF") from 1973 to 1997. He mentioned that the Mexican Government had advised the Secretariat that a response would be given by 2 November.

The Secretariat is considering whether to recommend a factual record for the Hermosillo II and Coronado Island submissions and it currently developing the following three factual records: Iztapalapa II, Montreal Techno Park and Quebec Automobiles. All other submissions were presently awaiting Council's vote under Article 15. Ontario Logging and Ontario Logging II had been combined into one factual record and that, along with the Pulp and Paper Factual Record, it had been sent to Council. All that was required in these cases was the vote under Article 15 as to whether to make them publicly available.

In the case of a fourth submission received, Devils Lake, it was decided that the process had to be terminated since the submission was based on a treaty provision under International Law and it was not entirely clear whether it had been incorporated in the domestic law of either United States or Canada. For this reason it did not meet the status or definition of regulation, which was necessary.

In reference to making a factual record publicly available, he mentioned that timeliness had recently become a challenge. He explained that according to the agreement under Article 15/7 the vote on publication should usually take place within 60 days, and that lately this period was being surpassed. He pointed out that submissions take time and effort, since information needs to be gathered and then organized by the submitters prior to presenting it to the Secretariat. These requirements need to be considered, since it could take several months, to up to a year, before the preparation of a factual record is recommended and before the Council votes on making it publicly available. He also pointed out that some of the delays could be attributed to other factors other than Council delays on voting. As an example he spoke about the cases of Oldman River, Ontario Logging and Quebec Automobiles, in which several external issues came to play including a Canadian election.

The JPAC Chair opened the floor to comments and questions from JPAC Members and the public.

- Referring to commentary made by the Mexican NAC Representative, a JPAC member expressed interest in the idea of having the NAC/GAC Committees participate at each others sessions, adding that further outreach and coordination with other groups was something that JPAC had been actively seeking for the last year.

- With regards to delays in voting on factual records, a JPAC Member recommended talking about this with the Council and urging them to renew their commitment to the process. She also commented that JPAC would be focusing on the follow-up to factual records. This even though the agreement did not impose any requirements on governments to formally report on what happens after a factual record is completed; theoretically there should be some improvement in that area as a result. She added that given the public's interest in the topic, JPAC was looking into facilitating the exchange of information at one of their meetings in 2007.
- Several members of the public expressed support and encouraged JPAC to organize a session focused on follow up to Factual Records. They agreed that there is a need to analyze whether the process has been effective and has led to the enforcement of environmental legislation in each country.

The Director of the SEM Unit made reference to a letter in which Council expressed that following the publication of a Factual Record, it was up to each domestic government to decide what the next steps would be. This was later incorporated into the CEC Strategic Plan in which Council commits to exploring ways for each Party to communicate how matters raised in factual records may be addressed over time. He added that other trade agreements were replicating the citizen submission process, but were adding an additional step which allowed Council, or the equivalent, to make recommendations to the concerned government, and added that this provision could be considered in future iterations of the process.

- A member of JPAC noted that this was a perfect illustration of how in order for the process to be effective, there is a need to close the loop back to Council. She added that even if there was recognition that changes should happen at a domestic level; JPAC, as a citizen based Committee, had the responsibility of facilitating the dissemination of information, always within the boundaries of the agreement.
- On the subject of timeliness and getting decisions made on enforcement matters, a member of the public commented that this was something that each individual NAC could follow up with their respective governments. She also questioned the fact that not one single representative from either the Canadian or US NAC/GAC were present at this meeting.
- The Canadian GSC representative responded to the previous comment, explaining that the Canadian Minister for the Environment had decided not to renew the term of the NAC representatives, and that her office was working on selecting new members.

Update on the Article 13 Report on Green Building in North America by Timothy Whitehouse, Head of Law and Policy Program

The Head of Law and Policy Program, Tim Whitehouse, began his presentation by providing a brief overview of Article 13. He explained how it was a provision allowing the Secretariat to prepare an independent report for the Council on any matter within the scope of the annual program or on any other matter related to the cooperative functions of the Agreement (NAAEC). He added that the report would focus on Opportunities and

Challenges of Green Building in North America. This issue is an extremely important one for North America primarily because of a growing awareness of both the environmental and economical impacts of how buildings are designed and built. He commented that in the United States alone residential and commercial buildings consumed 65% of all electricity generated, 12% of fresh water supply and 40% of all raw materials, and contributed to about one third of all greenhouse emissions.

He noted that some existing green buildings consumed up to 50, 60 and 85% less energy than conventional structures; in addition to promoting the sustainable use of materials and water, along with lower resource and waste disposal costs. He explained that the Article 13 report would examine the current status and future prospects, for green buildings in North America. The study will look at drivers and barriers for fostering green buildings from both the public and private sector perspectives.

- A member of the public referred to Mexico's construction norms and regulations, mentioning that the majority of the States had their own policies. In his view, the problem did not only lie with the remaining States, which followed the norms and regulations applied in Mexico City; but with the lack of standardized construction regulations based on sustainable practices. He encouraged the collaboration between local, state and federal Mexican authorities, with architects, engineers, construction chambers, etc., to encourage this to change.
- Several members of the public made specific recommendations to the CEC such as: incorporating in the study a comparison between existing green construction standards, for residential, commercial and government buildings; with voluntary green certification initiatives; that it also analyze the impact of green renovations of existing buildings, such as electrical and sanitary installations; promote and underline all of the economic advantages in order to make it more attractive; among others.

In response to these observations Tim Whitehouse said that it was expected that one of the background papers would look at local codes within the three countries and would look at them from a sustainability standpoint. He mentioned that the report would focus on pointing out the benefits of green buildings and the benefits to improve environmental efficiency, and that it would interact with different organizations that are involved in developing these matrixes and standards. On the question of environmental gap, he answered that what was planned was to look at existing building stock; most of construction involved existing buildings on which very little information was available. He informed that another step was to help gather information about what was missing and what required additional research.

Presentation on the *CEC Work Program* by Doug Wright, Director of Programs

The Director of Programs, Doug Wright, began his presentation by mentioning that during the 2005 Council Session in Quebec City, the Parties had endorsed a five year strategic plan, which has as a foundation the following pillars as established by the Puebla Declaration: Information for decision-making, Capacity-building and Trade and the Environment. He noted that the CEC had been working on sixteen individual projects

within the three program priorities and that the purpose of the presentations would be to provide an overview and to receive public feedback on that work. He confirmed that an initial Draft Operational Plan would be available at the end of the month, and that he was looking forward to JPAC's Advice as a result of the public consultation period, to be held on the CEC Website immediately after.

- A member of the public asked the Director of Programs to elaborate on why the project, Enhancing North American Air Quality Management, provided data on industrial atmospheric emissions exclusively, and not on mobile sources such as transportation vehicles. He noted that this was particularly important to Mexico since 85% of pollutant emissions in the country come from this source. He also made reference to one of the principal tasks under the Greening supply chains project in Mexico: *"Design and implement the multi-year project to improve environmental performance in the supply chains of large companies in a selected sector"*; questioning why the initiative was concentrating on one sector and not on several. He also requested more details about the automotive sector initiative.

The Director of Programs explained that traditionally the Air program had been strong, explicit and concrete; however the substantial reduction in funding had posed several problems and mentioned that this was a gap that could be considered next year. As for the greening supply chains and automotive sector projects; he noted that both would be fully described later in the day by Arturo Rodriguez, from the Mexico Liaison Office and Rolando Ibarra. Regarding the rationale for choosing a particular sector, he explained that the initial focus was to center on those sectors in which results could be obtained and in which trilateral collaboration efforts were clear, and could later be replicated and established elsewhere as cooperation models. He then proceeded to mention that all of the current CEC projects, including future directions, would be presented throughout the day, providing the audience with the opportunity to ask specific questions.

The JPAC Chair introduced the first set of presentations under the Information for decision-making pillar.

Information for decision-making

Tracking releases and transfers in North America

The Program Manager for Pollutants and Health, Keith Chanon, began his presentation by mentioning that the PRTR project has as a mission and purpose to track and publish information, on the amounts, sources and management, of toxics of common concern in North America. Furthermore; to increase the public's *right to know* about how chemicals are managed in their communities; to stimulate reductions in pollution releases and transfers from industrial activities; to enhance comparability among national PRTR's and finally, to strengthen Mexico's capacity to implement a national PRTR Program.

Regarding communities' *right to know*, he explained that the objective at national and regional levels was to promote public engagement, in order to involve people in the decision making process and enable them to take appropriate actions to reduce their

exposure to potentially toxic and harmful chemicals. Regarding the use of data to stimulate reductions and releases at the industry level; he explained that by making this information public and placing a spotlight on certain industry facilities, you force them to collect information and to track and monitor their use of chemicals. This potentially leads them to the implementation of pollution reduction strategies.

He highlighted the CEC work with the three governments, to promote and enhance comparability across the three national PRTR systems. The goals are; to collect information, compare and use it to make analysis across North America; to identify the areas in each country's PRTR programs that are different and that require further work to make them comparable and to increase the capacity of the CEC Web site to potentially integrate mapping capabilities and other technological tools aimed at improving the access and analysis of data across North America. He also noted that the CEC was working to increase the involvement of indigenous communities in the PRTR work, and that they would be holding a Consultative Group Meeting in San Diego at the end November 2006 to assess if and how, indigenous communities are using PRTR data. This meeting will also continue encouraging collaboration efforts with the cement sector. As for projects on the ground, two case studies are being prepared at two border regions: the Great Lakes and the US and Mexico border. The main objective of these will be to gather information on data being used for chemical management.

- A JPAC Member made reference to the growing concern, that toxic emissions from vehicle engines are much greater than industrial releases, particularly in metropolitan areas. He added that it would be very interesting to examine and compare both, in order to determine how critical it is to include vehicle emissions in the future.

The Program Manager referred to the recent recommendations made by several stakeholders, in which they propose that the program consider providing some contextual information on which other sources, outside of the PRTR industrial information, are major contributors of certain pollutants.

- Another JPAC Member asked if the project with indigenous people would be looking at integrating information from Indigenous communities in the data base, or if the intent was for these communities to use the data base?

The Program manager explained that the CEC's intent was to seek the input of indigenous representatives to conduct an initial assessment of their information needs and develop information materials to outreach to the indigenous communities. Because of limited resources, the initial focus will be on two regions in North America. These initial activities will provide the CEC with a clearer picture of the chemical information needs and current use of PRTR data by some select communities.

- A JPAC Member noted that a large amount of chemical discharges from industrial facilities are permitted by our governments; therefore she questioned the effectiveness of this tool in reducing and ultimately eliminating their use. She also asked if the PRTR Program was in any way collaborating with North American

environmental law groups to develop better environmental legislation and enforcement.

The Program manager explained that the data contained in the registers was to measure and manage the release of toxic substances, and that as a result; several industrial facilities had reduced, and in some instances eliminated, the use of toxic chemicals. He added that to date the Secretariat was not working directly with environmental law groups; it was however looking at ways of enhancing linkages with other stakeholders.

After several members of the public made comments about the challenges in standardizing the information, given the significant differences between the three countries; the Program Manager agreed with some of the observations and explained that next year's Taking Stock report would be incorporating data from the Mexican RETC on comparable chemicals and industry sectors.

- **Monitoring and Assessing Pollutants across North America**

On behalf of Luke Trip, Program Manager for the SMOC (Sound Management of Chemicals), Joanne O'Reilly provided the audience with an overview of project.

She began by explaining that the project originated from the North American Regional Action Plan (NARAP) on Environmental Monitoring and Assessment. The role of the EM&A initiatives is to provide scientific advice for making environmental decisions from a North American perspective by increasing comparability, reliability, relevance and availability of information on persistent bio-accumulating toxic substances (PBTS) in NA environment. It will also establish the baselines, trends, and effects related to propose control actions within the frameworks of capacity building and tri-national cooperation.

Among the 2006 highlights;

- Tri-national maternal blood study with support from the World Bank
- Atmospheric, terrestrial, biota monitoring mainly in Mexico
- Assessment of NARAP implementation

Regarding capacity building in Mexico, she explained how the CEC in collaboration with PRONAME will assess existing data and capacity. It will also hold capacity building workshops with Mexican experts to strengthen their capacity to measure, monitor and assess persistent and toxic substances.

2007 priorities;

- To integrate a North American monitoring Network, that will include index sites across NA and comparable data for the NA Atlas
- Promote sustainable infrastructure for EM&A in Mexico
- Report on levels and trends of NARAP substances
- Trilateral EM&A projects, such as mercury monitoring in cooperation with UNEP and a pilot project with PRTR and indigenous groups, among others.

- **Mapping North American environmental issues**

Ian Crain provided the audience with an overview of the North American Environmental Atlas. He began by explaining that the main purpose of this project was to prepare a digital map of North America with layers of environmental information, enabling visualization and analysis from a North American perspective. This initiative will ultimately provide the basis for decision making, by visually locating where things are occurring and exploring what cooperative actions need to be addressed. In the last few years a number of basic maps covering the North American continent have been assembled providing environmental information such as the major drainage basins. The ultimate goal will be to divide North America in natural ecologic regions; major bio geographical regions and off shore marine eco regions, to be used by the CEC and the general public. He added that the data collected over the years had been made compatible with the Atlas framework, including the preparation of data sets for marine and air emissions information; soon to include urban air pollution from both mobile and static sources.

The Director of Programs informed the public that these presentations summarized the work under the information priority of the CEC. He mentioned that having all these projects situated together would help strengthen the linkages between them and that the environmental Atlas would assist in consolidating the information that had been collected and presenting it in a way that would draw the publics' attention. He added that the NAAEC commits the CEC Secretariat to preparing periodic reports on the state of the environment in the territories of the Parties, and that the program work would provide the substance to make these periodic reports.

- A member of JPAC expressed a concern, particularly since there were quite a number of states and institutions that were developing DIS maps, digital maps, etc., and as an example he referred to the Mexico - US border, where there was a large amount of information accumulated. He asked how much of this material was compatible with the Atlas and if the transfer of this information had been considered and/or had actually taken place. He hoped that work was not being duplicated.

The CEC Director replied that the CEC was only at the very beginning of this undertaking and that it had two purposes; the first to make better use of the information that was collected and generated through the CEC work, and the other one was to make it possible for these other sources of information to be linked together in a North American context.

- A member of the public asked what was being done to get more qualitative information. She pointed out that aside from including indigenous peoples in the programs she thought that the projects were going one way; and wanted to know what was being done, or what could be done, to include information from the community directly, from the people that were being affected. In other words to pair qualitative with the quantitative information the CEC already had.

Doug Wright responded that the CEC was going to actively seek stakeholder involvement in the generation of its products.

Biodiversity

- **Building Capacities for Integrated Ecosystem Management and to Conserve Critical Species and Spaces**
- **Guidelines for Risk Assessment on Invasive Alien Species and their Pathways**

The Head of Biodiversity, Hans Hermann, began his presentation by providing an overview of the CEC Biodiversity Conservation work, particularly the tri-national cooperation strategy for the conservation of biodiversity, based on spaces, species and threats under the three priorities. The work centers on producing information to be used in the decision making process, capacity building with all stakeholders – from government to indigenous representatives – and improving our understanding of the linkages between trade and conservation.

In reference to the project Building Capacities for Integrated Ecosystem Management and to Conserve Critical Species and Spaces, he explained that the purpose was to assist the three countries in strengthening the capacity of different stakeholders to conserve priority species and spaces of common concern. These initiatives include; determining the causes of the decline of four species of common concern; strengthening the capacity of local authorities to manage, conserve and monitor species of common concern and supporting the establishment of a North American Network of Marine Protected Areas, among others. He also described the work on the Baja to Bering (B2B) region and the three associated NACAP's, in which all of the species (Humpback Whale, Leatherback Turtle and Pink footed shearwater) face the common threat of unsustainable practices. He further explained that joint efforts are underway to address these threats, such as training local communities in sustainable fishing practices.

He then referred to invasive species as the most important threat facing biodiversity today. He explained that the main objective of the project, Guidelines for Risk Assessment on Invasive Alien Species and their Pathways, is to protect North America's marine, freshwater and terrestrial ecosystems from these species, by developing risk assessment guidelines to aquatic and terrestrial pathways, and to develop mutually supportive legal and policy frameworks.

- Among the public commentary, a member of the audience expressed concern regarding the areas that were identified as a priority and asked if wetlands, mostly in Mexico, had been considered.

Hans Herrmann responded in the affirmative, noting that the wetlands were in fact considered not only for the ecological service they provide to society, but also because they were essential for maintaining the biological ecological cycles.

Trade and the Environment

Jeremy Brown, Consultant for the CEC Trade and Environment Program, began his presentation by providing an overview of the Program's objectives. These include the enhancement of North American trade of green products and services, to increase the capacity of the three countries to identify and address trade related environmental concerns and to broaden the understanding of trade and the environment linkages by promoting policy coherence. He then described each of the projects under the program.

The main objective of the project **Promoting the North American Renewable Energy Market**, is to enhance the development of the renewable energy market in our region to address key challenges such as energy diversification and reduction of the environmental impact of energy production and consumption. Among the tasks; to build capacity of Mexican officials to develop renewable energy projects, document best practices for developing small scale renewable energy projects, facilitate the integration of renewable energy resources to the grid, etc. In 2007 the CEC will also continue to provide support to the renewable energy experts committee and will seek to work closely with aboriginal groups to understand their energy needs particularly in remote communities.

In reference to the **Green Purchasing** project, he went on to explain that the main purpose of this initiative is to increase the procurement of green products and services by North American institutions, such as government offices, hospitals, universities, etc. These products and services in essence include, office supplies, energy from renewable energy resources and green cleaning supplies. The tasks will include the implementation of a master plan to increase green procurement policies, improve institutional green purchasing self assessment and information sharing tools, among others.

The third project under the Trade and Environment Program, **Harnessing Market Forces for Sustainability**, has as a main objective to explore and expand the potential for using market based mechanisms, to promote environmental conservation and protection while increasing sustainable trade across our region. He provided a brief overview of some of the initiatives underway, including the development of a "how-to" guide based on lessons learned from previous projects on community partnerships, government financing for small operations, etc. He also mentioned that in accordance to the CEC mandate, the symposiums on assessing the environmental effects of NAFTA would continue every two years.

Enforcement

- **Trade and Enforcement of Environmental Laws**
- **Strengthening Wildlife Enforcement Capacity**

Tim Whitehouse provided the audience with an overview of the **Trade and Enforcement of Environmental Laws** project, which has as a main objective to prevent the illegal shipments of hazardous waste materials, ozone depleting substances and protected species and wildlife in North America, and to expedite the movement of legal ones. This by ensuring that customs and environmental enforcement officials are properly

informed of environmental laws affecting trade; exporters are aware of the implications and consequences of shipping illegal materials and by training government officials in the three countries. He also addressed the major components of this initiative, including tracking hazardous waste and creating common data sets to exchange information electronically, and allow border inspectors instant access to information on hazardous waste shipments.

- Some members of the audience noted the differences in environmental laws between the three countries, in particular with Mexico, and asked if he could further explain the coordination efforts between the three countries, including the role of the enforcement working groups on the subject.

Tim Whitehouse responded that in terms of national laws, the representatives of the Enforcement Working Group could provide their views; however their role was to advise on ways of building capacity and providing information, not to advocate a particular position regarding domestic laws. In reference to hazardous waste legislation, even though it varies from country to country, progress has been made by providing a forum where information can be shared.

- Referring to the training of customs and law enforcement officials; a JPAC member mentioned that in the state of Texas, training seminars of customs officials had been complicated because of the high turnover, which had cost implications. He expressed support for online training and encouraged the CEC to move forward with this initiative, particularly with the Mexico and US Border States.

Environmental Management

- **Sound management of Chemicals**

CEC Consultant Joanne O'Reilly provided an overview of the Sound Management of Chemicals Program, which in essence provides the framework for regional cooperation to manage chemical substances of common concern, particularly those that are toxic and that bio-accumulate in living organisms.

The goals are:

- Improve capacity for monitoring research and information sharing;
- Improve capacity to manage chemicals;
- Promote the exchange of information on criteria and methodologies used in establishing domestic standards;
- Incorporate pollution prevention principles and precautionary approaches to reduce risk associated with toxic substances.

She then provided a brief summary of the North American Regional Action Plans, beginning by the ones that are no longer active, such as, PCB's; DDT and Chlordane; which have ceased to be manufactured and used in North America. She continued with

the ones that are active, beginning by the Mercury NARAP; highlighting the recent tri-national initiative mentioned earlier, in which the maternal blood of first time mothers was sampled and analyzed to detect persistent organic pollutants and heavy metals. The end result is to have a report ready by next year, in which the data from the results would be compared across the three countries. She also mentioned a smaller project with the University of Ottawa, in which fish tissue samples were being analyzed for mercury.

With regards to Lindane and other Hexachlorocyclohexane Isomers NARAP, she noted that it was in the final stages of review by the parties for their approval, and that the task force would be meeting next year to prioritize actions and set out a plan for implementation. Referring to the Dioxins and Furans and Hexachlorobenzene NARAP; she spoke about the pilot study currently underway in Mexico, which looked at persistent organic pollutants in soil and air. The Task Force will also be meeting in 2007 to develop an implementation plan.

Referring once again to the NARAP on Environmental Monitoring and Assessment, she reiterated that the initial priority would be to work with the Mexican Government to establish a National Monitoring and Assessment Program, which would assist the Government in evaluating their existing data and capacity. She provided additional details on the research and capacity building work being done with PRONAME and re-confirmed that this would continue in 2007. Finally she informed the audience of a recent proposal to work with UNEP on a project for monitoring mercury from waste sites in Mexico and about their interest in working with PRTR and Indigenous groups in the near future.

- A member of the public asked if the program had any direct links to the Stockholm agreement; to which she responded that there were some links in the work that was currently underway in Mexico, specifically by consultants who were aiming towards a larger monitoring and assessment program related to Stockholm.
- A member of the audience noted that representatives from the Consultative Committee for Sustainable Development from each of the 32 states were working in their respective regions with Mexican authorities, to disseminate information about monitoring certain substances under the Stockholm convention.

• **Improving Private and Public Sector Environmental Performance**

Arturo Rodriguez, in representation of the Director of the CEC Mexico Liaison Office, provided an overview of the project, which has as a main objective to improve the environmental performance of industry, particularly small and medium sized enterprises. He explained that at present the project focused on Mexico's needs, but that it would eventually expand to benefit all three countries. He further explained three of the mayor components which include; the Clean Electronics Pollution Prevention Partnership (CEP3); the Greening supply chains in Mexico and Capacity building for a Mexican state and municipality.

The first component has as a main objective to improve the environmental performance of the electronic industry in North America. He referred to the scoping study that was presented earlier in the year at the JPAC Vancouver meeting, which would be incorporating some of the public and expert commentary received at that session.

The second component has as a main objective to increase the competitiveness and environmental performance of SMEs. He noted how successful this initiative had been in the last couple of years, having almost doubled the number of participating companies. The goal in the next few years will be to expand to other industrial sectors and to increase the synergies with existing SME assistance programs.

Lastly he referred to the capacity building project for a Mexican state and municipality, which had centered on working with the government of the state of Queretaro, to facilitate work with the private sector and strengthen its environmental performance. Overall the main goals of this initiative are to develop institutional capacities for integrated environmental management, decentralize environmental auditing, harmonize federal and state legislation and collaborate with PROFEPA's National Environmental Audit Program to support certification of municipalities.

- A member of the public underlined the importance of working with municipalities in Mexico and encouraged the CEC to continue with this effort. He noted that they are the ones that lag far behind on environmental compliance, more so than the private sector.
- Another member of the audience asked the CEC representative to further explain which toxic chemicals in electronic components were being considered in the scoping study and asked if any of these were presently being recycled in Mexico. He responded that the study focused on some heavy metals and fire retardants, but mostly lead, mercury, cadmium, hexavalent chrome, polybrominated biphenyls (PBBs) and polybrominated diphenyl ethers (PBDEs). He mentioned that in Mexico there were a few recycling plants, however the ultimate goal of this initiative is to reduce and/or eliminate these toxic materials.

- **Supporting automotive sector environmental performance in North America**

Rolando Ibarra provided a brief overview of the project, which centers on improving the environmental performance of the automotive sector. He noted that this initiative provided the CEC with the opportunity to facilitate positive industrial environmental performance, while strengthening ties with the private sector. He explained how the CEC was working closely with the Suppliers Partnership (SP) in the United States, which comprises automobile equipment manufacturers, their suppliers and the US EPA. Among the activities to be pursued, the CEC will conduct a trilateral meeting to scope this initiative and to begin designing an implementation plan which will eventually be incorporated in the 2008 Operational Plan.

The JPAC Chair thanked the CEC Program Managers for their presentations and informed the public that the members had agreed earlier to provide an Advice to Council, which would incorporate the commentary received at the meeting. In addition and in

order to provide the public with the opportunity to review the first draft of the 2007-2009 Operational Plan, he re-confirmed that the committee would also conduct a 30 day public consultation on the CEC Website, and that the commentary received during that period would also be incorporated.

Finally, the JPAC Chair informed the audience that they would be hosting a roundtable on conservation and trade, to be held in Cancun, Mexico, on 7 - 8 November.

The JPAC chair thanked the public, the members, the CEC staff and the interpreters and adjourned the session.



Commission for Environmental Cooperation of North America

Joint Public Advisory Committee Regular Session 06-03

September 15, 2006

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*The main objective of this session will be to provide the public with an overview and opportunity to discuss the **CEC Work Program**. Key members of the CEC Secretariat staff will be present to respond to questions and engage in the discussion.*

Provisional Agenda

Friday September 15, 2006

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| 8:00-9:00 | Registration of participants – <i>Salon Verriere</i> |
| 9:00-9:10 | Welcome and opening remarks by JPAC Chair, Carlos Sandoval
a) Approval of the provisional agenda |
| 9:10-9:15 | Report from the National and Governmental Advisory Committee representatives. |
| 9:15-9:30 | Update on Submissions and Enforcement Matters by Geoffrey Garver, Director, Submissions and Enforcement Matters Unit |
| 9:30 – 9:45 | Update on the Article 13 Report on Green Building in North America by Timothy Whitehouse, Head of Law and Policy Program |
| 9:45 – 10:00 | Break |
| 10:00-10:15 | Presentation on the CEC Work Program by Doug Wright, Director of Programs |
| 10:15 – 11:05 | Information for decision-making <ul style="list-style-type: none">• Tracking releases and transfers in North America• North America Monitoring and Assessment• Mapping North American environmental issues• Reporting on the State of the North American Environment |
| 11:05 – 12:25 | Trade and the Environment |

- Building Capacities for Integrated Ecosystem Management and to Conserve Critical Species and Spaces
- Guidelines for risk assessment on invasive alien species and their pathways
- Promoting the North American Renewable Energy Market
- Encouraging green purchasing
- Harnessing Market Forces for Sustainability
- Ongoing Environmental Assessment of NAFTA

12:25–13:30 Lunch (provided) – *Salon Victoria*

13:30 –13:50 Enforcement of environmental laws

- Trade and Enforcement of Environmental Laws
- Strengthening Wildlife Enforcement Capacity

13:50 – 14:20 Environmental Management

- North American regional action plans (NARAPS) and future directions
- Improving Private and Public Sector Environmental Performance
- Supporting automotive sector environmental performance in North America

14:20 – 14:30 Break

14:30 – 15:15 Discussion and Question Period

15:15–16:00 Discussion on a potential advice to Council on the ***CEC Work Program***

16:00–16:30 JPAC follow-up and Administrative Matters

- Follow up on the Workshop on Renewable Energy
- Next JPAC Meeting in Cancun, Mexico
- Discussion of 2007 JPAC Priorities and other Meetings
- Status of Canadian Appointments

16:30–17:00 Observers' comments

17:00 End of the session



Commission for Environmental Cooperation of North America

Joint Public Advisory Committee Regular Session 06-03

September 15, 2006

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