

[Border 2012 Summary of Comments](#)

**Border 2012: U.S.-Mexico Environmental Program
Public Meeting**

Nogales, Sonora

**October 30, 2002 • 11:00 AM
Minutes**

- I. Welcome
Moderator, Arq. Angel López Guzmán

Arq. Angel López Guzmán welcomed attendees and introduced the leadership present.

- II. Introduction – Opening Remarks
SEMARNAT, Lic. Jose Luis Luna
SIUE, Lic. Ernesto Tapia Vázquez

Lic. Jose Luis Luna thanked the EPA for the support provided for the meeting, welcomed attendees, and emphasized the importance of the plan for protecting the environment as well as the importance of the public comment process in the development and implementation of the Border Program. This plan was drafted jointly by SEMARNAT and the EPA with the participation of the Ten States. It is designed to include the participation of the communities that live in the border zone, beginning with these public comment meetings and continuing through project implementation and evaluation. Lic. Luna thanked those present for their attendance and participation.

Lic. Ernesto Tapia Vázquez emphasized the importance of public participation and welcomed attendees.

- III. Presentation of the draft Border Plan 2012

The Border 2012 video was shown.

- IV. Presentation of regional issues Sonora/Arizona - Ambos Nogales
Arq. Angel López Guzmán, SIUE.

Arq. Angel López Guzmán gave an overview of the important issues in the Sonora/Arizona region, including:

San Luis – San Luis Rio Colorado

Air quality.

Hazardous waste monitoring, particularly management of empty containers.

Emergency response – there are already cooperation agreements between the sister cities.

Southeastern Arizona and Northeastern Sonora:

The BECC is soon to approve a paving project to improve air quality.

Environmental contingency planning and coordination.

Landfill in Naco.

Solid waste left behind by migrants.

Ambos Nogales:

A specific air quality program for Ambos Nogales.

Particulate matter.

Tire burning.

Vehicle traffic.

A binational plan for addressing these issues will be announced November 20.

Water management, sanitation, wastewater treatment plants.

V. Question and answer session about the presentations.

Question. First I want to commend you for having this type of program. I am a resident of Magdalena. My question is whether or not Magdalena is covered by this program. Can we submit a project?

Answer. Angel López Guzmán: Yes, it is covered. The mandate has been expanded for the purpose of BECC certification. It used to be up to 100 kilometers, and it has now been expanded to 300 kilometers on the Mexican side. Projects within the first hundred kilometers will have priority.

Answer. Omar Rodriguez clarified that the Border 2012 program is based on the definition of the border region, set forth in the La Paz agreement, as a strip of 100 kilometers, but that the guidelines for projects financed by the BECC and the NADBANK have been expanded to 300 kilometers on the Mexican side.

Question. Jorge Ruiz, Association of Environmental Safety Professionals of Nogales. Have you thought about involving the private sector in resolving these problems? Private industry has a great deal of highly qualified people who could contribute a lot. If you have thought of it, what would the channels be? Through the maquila associations or what?

Answer. Jose Luis Luna: Yes, private industry has a very important role. In fact, one of the main objectives of this program is to encourage the use of technologies that will improve industry performance.

Answer. Omar Rodriguez: The regional work groups are intended to include the participation of the different sectors of civil society: private industry, academia, civil and non-governmental organizations.

Comment. Antonio Hernández: I am very concerned about deforestation here in Nogales. I would like to see a municipal reforestation program here in Nogales, including an inventory of trees and green spaces in Nogales, in order to come up with a long term plan for what can be done to create more green spaces.

Answer. Ernesto Tapia Vázquez: That is one of the priority programs being planned through CONAFOR, which has a reforestation program that specifically uses species native to this region for several border municipalities, including Nogales. This program is being implemented in an exemplary manner here in Nogales with strong participation of the maquila companies in the state of Sonora.

Question. Edgar Enrique Valdez López, Youth Wing of the Labor Party (Area Juvenil del Partido de Trabajo). I have a question about the transportation of the reactor that we are blocking in Puerto Peñasco and Sonoíta. What's going to happen when that reactor comes through? Why is the passage of the nuclear reactor destroying the ecosystem in the desert of Sonora del Pinacate?

Answer. Plácido dos Santos: What I understand is that a turbine will be moved from Arizona to Puerto Peñasco, Sonoíta and later to Lukeville, to the Palo Verde nuclear plant. Those turbines do not contain nuclear material. The reason they are so striking is because they are so enormous.

Question. Edgar Enrique Valdez López: I was at the demonstration in Puerto Peñasco when construction was stopped. We saw the environmental destruction going on there. They are destroying about 50 meters of the ecosystem around there. Also, if it wasn't dangerous material, why was there a radioactivity meter on a pick-up truck belonging to the construction company? We have pictures that we will send to you.

Answer. Jose Luis Luna: An agreement was reached in a meeting the day before yesterday to create a group of technicians and experts in the field to determine if these steam generators contain radioactivity or not. These studies have already been done and they do not contain radioactivity. However, this work group was established for the greater assurance of the members of the

PT (Labor Party). With regard to the construction, it's just a matter of widening the existing road so that the vehicles can get through.

Comment. René Córdova from the Red Fronteriza de Salud y Ambiente (Border Network on Health and the Environment). With regard to the guiding principles, I would like to see specific indicators included in the final plan regarding transparency, public participation and especially access to information.

Also regarding the guiding principles, I think the Mexican section should translate Mexico's historical debt to its indigenous communities, which is how it is termed here, into specific actions and commitments. Such as participation in the regional groups and inclusion of their demands in the indicators that will be used to measure the success of the program. The fact that no specific public meeting has been held with these communities shows the level of that recognition.

The program is still centered in the fourteen sister cities. One of the advances of the La Paz agreement was the definition of the border region as a region and not just the border cities. The program does not take into account the population outside the cities.

With regard to the specific goals and objectives, I would like to see included in the final plan the goal of reducing discharge of untreated wastewater into bodies of water and increasing the number of treatment plants with secondary treatment. Also, improving access to information, especially regarding contamination of aquifers. This is a task that has been on the agenda of the Water Commission for many years. Under goal four of that objective, I am struck by the goal of achieving compliance with the quality standards in the aquifers. Once an aquifer is contaminated it is virtually impossible to make it comply with quality standards.

With regard to objective two on air quality, I think one objective of this plan should be to speed up border crossings and increase the use of the railroad and improve railroad infrastructure, which is one of the recommendations of the CEC. The technology used in existing power plants should also be improved. And new plants should be required to use the best technology available. Mexicali has one of the dirtiest plants in the country, for example.

With regard to objective three, soil contamination, I would like to see in the final plan, an advance in the development of a cross border environmental impact report. This has been pending since the comprehensive border environment program and it has disappeared from the objectives.

One of the programs in planning in Mexico with regard to access to information is a registry of emissions and transfer of pollutants, which is to be implemented next year. It is equivalent to the "Toxic release inventory" in the United States. Compliance with this program could also be included as one of the goals of the Border 2012 program.

I am very concerned about the fact that goal number one for soil pollution prevention is still based on voluntary compliance on the part of private

companies. This is a principle that has brought us ten years of failure in regulatory compliance.

With regard to goal number four, reduction of exposure to pesticides, I do not think the training of workers will have a significant effect on the health of children or of the workers themselves if the labor and health regulations on pesticide application are not followed by agricultural workers, regarding equipment, exams, inflow and outflow and application schedules. We also have the problem of use of household pesticides on both sides of the border.

Answer. Jose Luis Luna: You raise some very important issues. I would appreciate it if you would send them to us in writing. With regard to the participation of indigenous communities, they are invited to these meetings. The problem is that we have a very limited amount of time for these meetings.

Answer. Ernesto Tapia Vázquez: Information is definitely being opened up to the public, and it's not as simple as coming up with a list of suggestions and attempting to incorporate them immediately. The purpose of these meetings is precisely to try to work together with the public.

We are without question many years behind in terms of environmental protection, so we have to begin gradually in order to move forward steadily.

Access to information is very important because the lack of information leads to misinformation and mistrust. We want to express our willingness to provide all the information you want.

Question. Aída Larios: I want to talk about reforestation and the deforestation that is going on. And I wanted to ask what is being done to protect the *bellota*. Mr. Luna mentioned that special attention is going to be put on native species. They are knocked down with such indifference. I would like an inventory to be done on what is left. Many of the trees that have been cut down were over 400 years old. In the case of the *bellota*, if one is cut down today and another planted tomorrow, I don't think we'll see the results. We have to protect what is left. More than a question, I'm asking you for protection for the ones that are still standing.

Answer. Jose Luis Luna: You are very right. You point out a very serious problem that has existed in Sonora and in Mexico for the last 70 to 100 years. It is not possible to reverse this or even slow it down in a short time. It is an urgent problem that needs to be addressed. With the *bellota* we are just barely starting greenhouse cultivation in order to be able to start to revive this important species.

Comment. [inaudible] Rosario Ozuna Zúñiga, Procurador de Asuntos Indígenas in Sonora (Ombudsman for Indigenous Affairs in Sonora). We at the Office of the Ombudsman are going to be following this process and making sure that these communities are consulted, with regard to health and especially that the rights of indigenous communities are respected. I want to

thank you for the invitation I received to attend this forum and express my willingness to continue working on environmental issues, which are of great importance to the indigenous community.

Answer. Omar Rodriguez: This is a very important issue on both sides of the border. We are very receptive to these concerns and to the special needs of these communities. Unfortunately, it is not possible for us to hold meetings with each community, but we would like to see participation of these communities in these meetings. And following a suggestion we received, we are working with SEMARNAT to organize a special meeting with indigenous communities before the end of the public comment period.

Comment. Josefina. I would like to make a recommendation to Licenciado Jose Luis Luna that rather than giving information to a political party, I think information has to be given to the population that resides in the area where the equipment that is going to be transported to Arizona is going to pass. At the Arizona/Sonora Commission meeting a year ago it was recommended that a public consultation process be carried out and that an environmental impact study be published so that the public will feel confident and assured that it is not true that this is nuclear material and that it's not true that they will end up deformed. It's not true. I think we as citizens deserve respect. It is time for the government of that state, the municipal governments of Puerto Peñasco and Sonoíta and SEMARNAT to inform the community, to provide all the information necessary to answer all the questions people have so that people don't panic and so that political groups cannot manipulate the situation.

The other issue is that with the BECC we have determined that there is no plan for addressing environmental problems, especially those related to sanitation. The border population moves around at such a high rate that there are no reliable statistics. There's no way to accurately determine what makes us sick, how we get sick and how many people get sick. The BECC goes in and it takes months, years, and the local sponsors get tired. No city mayor can take a wait of over three years. So the municipal sponsors prefer not to apply to the BECC and NADBANK. Of the 27 municipalities in the border region in the State of Sonora, only ten have applied for projects. The rest haven't because of lack of information, because of how slow the process is, because of apathy, lack of support from the state government or the federal government. The same thing happens in the United States. So one of the best tools is to develop strategic plans with the information necessary to be able to identify the need for a regional landfill, a regional wastewater treatment plant. Everyone wants their own plant.

Projects get behind because of poor leadership style. We see Mexican projects get bogged down because of lack of international mechanisms or the effective use of those mechanisms. So it seems to me that what is called for is the development of strategic plans that include the necessary judicial, legal, political, social and financial mechanisms. If all the money the bank has could be put into projects, it would resolve a lot of problems. But it's not possible

because the mechanisms don't exist, the studies don't exist, because the sponsors don't expedite the process, because there's no database.

Answer. Jose Luis Luna: You bring up two serious gaps that clearly exist in Mexico, which have to do with a lack of information and a lack of strategic planning. That is why this plan includes those two specific issues. There are eight primary tools. One of them is precisely environmental information and the development of environmental infrastructure.

With regard to the steam generators, I will gladly send you a copy of the report. Nothing is secret. I repeat, they do not contain radioactive material. We provided information to the PT (Labor Party) because they asked us for information. We are going to make sure the public is completely informed to their satisfaction. This is difficult because there is a lot of misinformation. The information is open and we are going to provide it to the public through the media.

Comment. María de Los Angeles Rodriguez, environmental consultant, specializing in urban issues and environmental impact. My proposal is related mainly to conservation, to promoting a culture of voluntary disclosure. The responsible authorities—and it really should be a Secretariat because of the importance of the issues—should have a budget to promote voluntary disclosure on the part of both industry and citizens. Because we always hear there's no money. Public officials never give it the importance it deserves. But first do an accurate inventory of the state of each of the ten states with regard to soil, water and air. Do an inventory of *bellotas* and train developers on how to transplant them.

With regard to water: build reservoirs in the highest parts of Nogales. We can't let all that water just go to waste.

With regard to air: Prevent defecation in the open by providing resources for latrines to the most needy communities. Private vehicles here in Nogales, mainly the urban buses, most of which are practically scrap. Give them some time, of course, and give the investors easy credit, and then get them out of circulation.

Economic activity. The municipal environmental office should have a list of all chemicals used by companies that use toxic and non-toxic chemicals, with the quantities and the companies' ability to manage their releases. Regulation of shops that use paints, blacksmiths, junk, scrap in public areas, recyclers that are really only scrap collectors, what to do and alternatives. I think that we can prevent a lot of environmental deterioration in our border cities and states by promoting voluntary disclosure.

Answer. Ernesto Tapia Vázquez: I'm glad you mentioned that because one of the things that we've discussed and taken into account is precisely the little support that has been given to environmental issues. The state structures really haven't been adequate. In fact many of the problems we have had in the state are due to the lack of inspectors in all areas. This will gradually improve as a

result of the decentralization process begun this year between SEMARNAT and the State of Sonora, and that obviously is intended to provide local governments with regulations and procedures that will allow them to make decisions in these areas. This will not happen in one year. To decentralize and transfer authority and responsibility from SEMARNAT to the state will take about three years. With regard to planning, we are working on environmental regulations for the State of Sonora. These should really be the basic documents for strategic planning at the state and municipal level.

Comment. Rafael García, Municipal Government of Nogales. We are taking notes on all your requests that fall into our jurisdiction locally. But I would also like to make a comment. We have many needs in Nogales. What we feel should be made clear here is that the first thing to do is propose the removal of the train tracks from the city center. Second, we need support to carry out the east highway project, which will resolve a lot of problems for the eastern part of the city. This is a highly marginalized area, which makes it impossible to bring in urban infrastructure and other services that would raise the quality of life in that area. Number three, carry out the next stage of the municipal water line. It is urgent that we get potable water and sewage to the city. This program has been bouncing around from one place to another and has never been firmed up.

Question. Sinovio [inaudible] I am the director of the Pápago House in Caborca. I am here representing Ing. Hernandez, the representative of the National Indigenous Institute in Sonora. My question is whether or not migratory peoples are included in the program, because they have a host of problems mainly related to environmental health.

Answer. Omar Rodriguez: They are not mentioned specifically as a group in the program. But I think the idea that it is a binational program focusing on crossborder problems requires us to take migrant groups into account, because they have a major impact on the region. And they are also affected by environmental problems. In other words, if we are going to protect the environment, that necessarily implies that we are going to protect human life. So it's important that we include issues related to migration in the program, and we are certainly going to do that.

Comment. Jacinto Mayboca, Director of Rural Development District 140, Magdalena de las Agarpa. Our jurisdiction includes the rural areas of Nogales and Santa Cruz. We would like to let you know that, in accordance with the development law, each municipality has a municipal council. These councils can act as channels for getting information to agricultural producers. We would like to submit this proposal to your consideration so that this information is provided to agricultural producers through the municipal council.

Question. Margarita Lara. I have participated in subgroup meetings both in the United States and in Nogales and one of the decisions that has come out of those meetings has to do with air quality. And the proposed solution is street paving, which is not very easy in our region. I would like to know if SEMARNAT at the national level has resources for these types of projects or if the municipalities and states that will have to cover these costs. Because if that's the case, it will be even more impossible to implement this solution for cleaner air.

Answer. Angel López Guzmán: The specific solutions to problems often come under the jurisdiction of other agencies, such as the case of paving, which is a public works roads project, which means the municipal, state and federal governments would have to participate through another agency, other than environment. Part of the objective of the program is to gather all the requests in order to manage the proposals and coordinate efforts among different governmental agencies at the three levels of government.

Answer. Jose Luis Luna: There is an effort to make funding available for this type of paving project through the NADBANK/BECC. I think that would be a proposal to make for Nogales.

Comment. Luis Mejía. I work for CONALEP. I would like to make a few suggestions about landfills. The existing landfill is full. It no longer receives waste. In the new one, I have not seen any kind of recycling project. Recycling programs are already in place in other cities, such as El Paso and Ciudad Juárez. I would suggest a binational program of this type for Nogales.

Answer. Jose Luis Luna: We definitely need to promote recycling. That is one of the primary objectives of the Cruzada por un México Limpio (Crusade for a Clean Mexico) that we are implementing in the twelve border cities, starting here in Nogales. We have had several meetings with the maquila associations in the State of Sonora, to talk about this problem. We do have the support of these associations for the implementation of a recycling program.

Comment. David Peña. Director of sustainable development planning for the Institute of the Environment and Sustainable Development of the State of Sonora. I have a few comments about the program. With regard to the guiding principles, I would like to suggest that private industry be allowed to participate. I think it would be advisable to include among the guiding principles something to the effect of "achieve orderly economic growth," for example. I attended some of the meetings of the Border 21 program where the creation of a natural resources inventory information system for the border region was discussed. I don't know if it was ever done. It would be useful to include that information.

With regard to the goals and objectives, it seems to me that the goals are a bit, well, very loose. An effort should be made to identify more concrete

goals. And another suggestion, following one of the guiding principles, the one about transparency, is that the goals should include both the current indicators and the target numbers.

Lastly, the other suggestion is that municipal solid waste management should be included among the priority issues, at least for the Sonora/Arizona region.

Answer. Omar Rodriguez: Your comments are all very good ones. With regard to the information system and indicators, this is very closely tied to the goals. One of the main reasons for having these public meetings is so that we can take your input, comments from the public on both sides of the border, and channel them to the co-chairs of the work groups and policy forums who are responsible for developing the specific goals, so that they can fine tune them.

Regarding information, yes there is a project to follow up on the work of Border 21. As regards indicators, there is a project being carried out by the Southwest Center for Environmental Policy Research (Centro de Investigación en Política Ambiental del Suroeste) and SEMARNAT to develop very specific indicators.

Josefina. Regarding air quality and paving, the BECC and NADBANK have in fact expanded their mandate in this area. Nogales has a paving project for an eastern highway, which is under study. The BECC provided ten thousand dollars. Projects submitted in 2002 will be funded in 2003. The Nogales project is extremely important for human health, quality of life and the environment. The problem of Nogales, Sonora also has serious repercussions in Nogales, Arizona. If the municipal government were to apply to the BECC for a master plan for road paving, supported by the results of the air quality study completed a few years ago, I'm sure it would be approved for 2003. The case of Agua Prieta is an exceptional case. The mayor is a model for the entire border region on both sides. She has very effective people who are highly skilled in accessing the mechanisms to get projects approved.

Comment. John Swanson, SUMEX. We created an environmental group in our company called the green team. We have our own activities and we also participate in outside activities, and we are happy to do so because it is part of our responsibility. My suggestion is to give some kind of incentive to businesses for compliance or for environmental activities. We are very happy to participate and we encourage other companies to participate with a slogan that we use, "protecting the environment is good business." In our small company of 200 employees, just with a few small environmental projects we were able to save over a million dollars last year. I think the authorities should try to provide incentives for companies, because the language that our upper management understands is money.

Answer. Jose Luis Luna: I think your proposal is a very good one. If you have some ideas about how to implement an incentive plan, I would appreciate your sending it us and we will gladly look at it. One of SEMARNAT's policies is precisely to encourage environmental responsibility on the part of business.

Concepción Larios. Nogales City government official. I would like to say that here in Nogales people have been obtaining water from natural wells for many years. And we also have different sectors of the community that have no access to water. I would like to propose an evaluation be done of the natural water that exists particularly in the southern part of the city and that necessary measures be taken to protect that water because there is a danger of contamination and of losing those rich natural water resources.

Answer. Omar Rodriguez: That's a welcome proposal. I think it is one that we can channel through the Policy Forum at the binational level.

Comment. Mario Madrigal Gonzalez. Reporter, El Nuevo Día newspaper. Our paper recently published a series of articles about the situation that the official mentioned a few minutes ago. That is, the destruction of large forested areas for construction, etc. I am glad to see so many authorities here meeting about environmental concerns, but the fact is that while you're all here talking about environmental issues, dozens of hectares are being destroyed on the southwest side of the city. The company's equipment is still on site. Specifically, my question is, what are you, the authorities, going to do to repair that enormous damage? In reality, we all know these areas will not be restored for the people of Nogales.

Answer. Jose Luis Luna: If this destruction is taking place outside the city limits, I would appreciate it if you would submit a written report so that we can take immediate action, ask PROFEPA to send inspectors and take immediate action to stop it and sanction it. Within the city limits, SEMARNAT does not have jurisdiction.

Answer. Ernesto Tapia Vázquez: People think that when a report comes out in the media, it has been reported to the authorities, however in order to process a report, it's important that it be submitted to the authorities. We would recommend to all of you that any situation you think should be looked at, don't hesitate to submit a report to the Secretaría de Infraestructura Urbana y Ecología (Office of the Secretary of Urban Infrastructure and Environment) and we will determine which agency has jurisdiction to take the appropriate actions.

- VI. Closing
SEMARNAT, Lic. Jose Luis Luna
SIUE, Lic. Ernesto Tapia Vázquez

Omar Rodriguez thanked the audience for attending the meeting, invited them to submit written comments and encouraged them to continue participating throughout the process of final draft of the project and its implementation.

Angel López Guzmán: Thanked attendees for participating.

Ing. Rafael García, on behalf of the Mayor of Nogales, closed the meeting at 1:40 pm.