



## **Operational Guidance for Border 2012 Coordinating Bodies and Task Forces 2009 (Update)**

### **Introduction**

The purpose of this Operational Guidance is to designate minimum standard operating, reporting, and communication procedures under the U.S.-Mexico border environmental program (Border 2012) to ensure maximum transparency and accountability. This Operational Guidance is consistent with the Border 2012 Guiding Principles and incorporates input and recommendations gathered from program partners and border stakeholders as part of the Border 2012 mid-point refinement process.

The mechanisms identified in this Operational Guidance are intended to optimize the use of limited resources, promote and enhance information-sharing, and improve overall coordination and teamwork among the federal governments, the Border States, U.S. Tribes and Mexican indigenous communities, and other border stakeholders.

This Operational Guidance is organized into four sections. The first provides background on Border 2012's organization. The next four sections address critical themes of the Border 2012 Guiding Principles as they relate to program implementation. They are as follows:

Section I: Background

Section II: Program Organization and Coordination

Section III: Stakeholder Engagement and Participation

Section IV: Planning and Accountability

## **I. Background**

While the Border 2012 Program operates within the context of the La Paz Agreement, it is largely a voluntary (non-regulatory), consensus-driven program that is implemented through a bottom-up approach, between two countries, 10 border states, and 26 U.S. federally-recognized tribes. The Border 2012 Program takes into account cultural, language, political, economic, legal/jurisdictional and environmental realities, and seeks collaboration with a multitude of partners and stakeholders in developing solutions to the environmental and health issues affecting the border communities. EPA and SEMARNAT, in their role as National Coordinators for the U.S. and Mexico, are guided by their respective priorities, regulations, and guidelines, in implementing the U.S. and Mexico responsibilities under the construct of the La Paz Agreement and the Border 2012 Program.

Under the Border 2012 Program, the Program Partners (federal, state, and tribal governments) share responsibility for identifying and leveraging internal and external resources to fund projects that fulfill the goals and objectives of Border 2012 and that support key logistical needs.

## **II. Program Organization and Coordination**

Under Border 2012, three types of Coordinating Bodies have been created. These include Regional Workgroups, Border-wide Workgroups, and Policy Fora. (Attachment A Diagram)

### **Coordinating Bodies**

*The National Coordinators* in SEMARNAT and EPA ensure program cooperation, coordination, and communication among all coordinating bodies. They also assist the coordinating bodies in maintaining focus on bi-national and transboundary environmental issues, consistent with the program's Ten Guiding Principles. During the National Coordinators' annual meeting, all coordinating bodies have the opportunity to present progress on accomplishing Border 2012 goals and objectives; identify emerging issues; and identify future priorities to address remaining needs. At the end of each National Coordinators Meeting, a joint communiqué is issued to capture key progress on on-going efforts and to identify future and/or emerging issues. *The Indicators and Communications Task Forces assist the National Coordinators in maximizing the measurability and results-based focus of their activities, and in ensuring the effective communication of Border 2012 activities and results.*

*The Policy Fora* include: Water, Air, and Hazardous and Solid Waste. Policy Fora identify priority border-wide policy issues that can most effectively be addressed through a federally-led effort, relying on the input from Regional Workgroups. The goal of this dialogue is to ensure that federal policy for the U.S.-Mexico border is implemented or administered with opportunity for review and comment by state and tribal governments, in addition to providing an opportunity for input, advice and support from non-governmental organizations and the public.

*The Border-wide Workgroups* include: Environmental Health, Emergency Preparedness and Response, and Cooperative Enforcement and Compliance. Border-wide Workgroups work closely with Regional Workgroups (and their respective Task Forces) to identify projects to

fulfill their respective Goal and Objectives. Border-wide Workgroups also encourage participation from other agencies to leverage internal and external resources to assist Regional and Task Force efforts and projects.

The Regional Workgroups include: California-Baja California; Arizona-Sonora; New Mexico-Texas- Chihuahua; and Texas-Coahuila-Nuevo León-Tamaulipas. Consistent with the bottom-up approach, Regional Workgroups are the primary on-the-ground implementation mechanisms of Border 2012. The role of the Regional Workgroups is to identify and document priority regional issues and efforts that address these priorities, consistent with the goals and objectives of Border 2012.

Regional Workgroups can create local Task Forces to develop and implement projects at the local and regional level. Regional Workgroups will determine what additional mechanisms will be necessary to coordinate with U.S. Tribes and indigenous communities in Mexico within their respective regions. Where adopted binationally, these mechanisms should ensure that interested U.S. Tribes and indigenous communities in Mexico are provided information and allowed full participation, including leadership opportunities in Border 2012 efforts within their communities.

Regional Workgroup Task Forces: Task Forces require maximum flexibility in meeting the unique objectives they pursue. These objectives should focus on fulfilling the Border 2012 Goals and Objectives; partnering with relevant internal/external organizations to leverage resources; identifying priority areas; developing project proposals for funding, and project implementation and reporting, as appropriate. Ultimately, it is the responsibility of the Regional Workgroups to work with the Task Forces they authorize to adhere to this Operational Guidance and Guiding Principles of Border 2012. Regional Workgroups may elect to develop more specific task force requirements for project activities, planning and reporting. Selection of Task Forces and their leaders is made by co-chair consensus of the pertinent Regional Workgroup. Task Forces pursue consensus as a model for decision-making and include leadership from each country. Leaders for Task Forces may come from many sectors including, but not limited to, government, the private sector, non-governmental organizations, academia, and the public.

Task force leaders are responsible for achieving the intended objective of the Task Force and for logistical and administrative task force issues. Task Forces are supported by their respective Regional Workgroup.

Task force and/or project level meetings are task-oriented working sessions. However, they are open to the public unless confidential discussions are deemed necessary for the effective pursuit of the objective. If a meeting is not open to the public, leaders should make themselves or a representative of their organization available to answer questions from the public or the media.

Regional Workgroups should support their respective Task Forces with training opportunities, where appropriate, and with the establishment of mechanisms to inform and allow Task Forces the opportunity to compete for funding. Task Forces will strive to leverage resources from participating organizations and other external funding sources. Simultaneous interpretation services at task force meetings should be made available when deemed necessary by the leaders and when funding permits.

Task force leaders will present their respective Regional Workgroup's co-chairs with the following information prior to the Regional Workgroup and/or National Coordinators' meeting:

- A brief description of the Task Force's accomplishments and priorities.
- A short statement of the types of support that the Task Force may require to effectively pursue their objective.
- The contact information of an individual in the U.S. and/or in Mexico who serves as a public and media contact for the specific Task Force.

A Task Force may be disbanded at anytime by decision of the respective Regional Workgroup co-chairs.

*Border-wide Communications Task Force:* Created by the National Coordinators in December 2003, the Border-wide Communications Task Force (BCTF) was tasked to provide leadership and support in the development and dissemination of Border 2012 information. The Task Force supports active communication amongst and between the coordinating bodies, program partners, and stakeholders. Some of the key objectives of the BCTF are:

- to involve all interested parties in discussions on shaping the program, keeping everyone updated on developments, and enabling the Border 2012 Program to operate as efficiently and effectively as possible,
- to provide the border community and other external stakeholders with timely, accurate, clear, objective, and complete information about Border 2012's policies, programs, services, and initiatives,
- to keep the border community informed on program progress and results,
- to consult with the border community and other external stakeholders, listen to and take into account people's interests and concerns when establishing Border 2012 priorities, developing policies, and planning programs and activities,
- to leverage existing documents and communication tools to the fullest to avoid duplication and maximize efficiency, and
- communications will be coordinated in a binational manner as appropriate and feasible.

Close ties will be maintained with Border 2012 program partners to ensure that communications opportunities are seized and needless communication requirements are avoided.

*Border-wide Indicators Task Force:* Created by the National Coordinators in 2003, the Border Indicators Task Force (BITF) assists Border 2012 in developing environmental and performance indicators for the border region. The BITF activities support the program's guiding principles to "achieve concrete, measurable results" and "measure program progress through development of environmental and public health-based indicators." The BITF supports the national coordinators, border-wide coordinating bodies, regional workgroups, and other stakeholders to assess the state of the border region and relate environmental and health conditions to the activities of Border 2012.

The BITF should strive to ensure that its members and participants are representative of the border region's diverse stakeholders. The BITF should encourage each Border 2012

coordinating body (border-wide task forces, policy fora, border-wide workgroups, and regional workgroups) to designate an official liaison from each country to enhance coordination between the BITF and each group. These liaisons will help the BITF remain aware of the activities and priorities of the coordinating bodies, and will raise awareness of the BITF's mission and activities within other Border 2012 coordinating bodies.

Regular conference calls will be held to provide status updates and seek input from its members. Planned meeting dates, agendas, and other materials will be posted on EPA's BITF website at <http://www.epa.gov/usmexicoborder/indicators.html>. Additionally, like other Border 2012 coordinating bodies, the BITF holds at least one in-person meeting each year, typically coinciding with the National Coordinators Meeting to foster more comprehensive, real-time delivery of border environmental information.

### **III. Stakeholder Engagement and Participation**

All Coordinating Bodies should conform to the following Operational Guidance to maximize public participation, public access to information, and to strengthen the overall program. Workgroups and Policy Fora facilitate participation of the 10 Border States, U.S. Tribes, Mexico Indigenous Communities, and all interested border stakeholders. EPA and SEMARNAT work with program partners to extend the use of existing information tools, including Regional newsletters and bulletins, Border 2012 Web site, BECCNET, key project databases, and other means of disseminating information on Border 2012 progress to the public and border stakeholders.

**Meetings** of coordinating bodies are held as often as necessary to meet their respective objectives, but no less than once per calendar year. Meetings are held in communities within the U.S.-Mexico border region, alternating between the U.S. and Mexico and including simultaneous interpretation services. All meetings are open, providing the public an opportunity to listen and comment. However, the confidential nature of enforcement issues requires the Border-wide Cooperative Enforcement and Compliance Workgroup to conduct additional sessions that are closed to the public.

Workgroups and Policy Fora pursue **consensus** with input provided by federal agencies, state governments, local governments, tribal governments, non-governmental organizations, the private sector, academia and the public.

**Public notice** of these meetings, including agendas in both Spanish and English, will be widely disseminated at least 15 calendar days prior to the meetings. Notification of meetings should be comprehensive and at a minimum, shall include posting on the Border 2012 Website and BECCNET list-serve. As resources are available, additional notification may include written notices (flyers, letters, etc.), radio announcements, newspapers and other publications, public service announcements, community calendars, and press announcements.

**Meeting agendas** may include presentations on task force efforts including status of ongoing projects (as appropriate), recommendations from other Border 2012 groups, identification of priorities, and leveraging of internal and external resources to implement priorities.

**Summaries** of all meetings will be made available in Spanish and English within 45 days of the respective meetings on EPA and SEMARNAT Border 2012 Web sites.

#### **IV. Planning and Accountability**

By March 30<sup>th</sup> of each year, the National Coordinators will work with the Border 2012 Coordinating Bodies and program partners to identify annual priorities and subsequently report on key accomplishments at the annual National Coordinators Meeting to report on progress in fulfilling the various commitments under each goal of Border 2012.

To better capture the Border 2012 strategic plan for completing the goals and objectives of the program, the following are key principles that will guide program partners to better articulate progress and accountability:

- The 2008 Border 2012 mid-course refinement document records the national set of goals, objectives, and measures that guide program focus and implementation;
- The BITF will continue to develop a set of indicators to better gauge program progress and will link program objectives to environmental outputs and outcomes;
- The Border 2012 Coordinating Bodies will collectively monitor program implementation efforts to ensure that the objectives are being addressed, that program accomplishments are shared and documented, as appropriate, and work with project sponsors to ensure quality data is supported; and
- The Border 2012 Coordinating Bodies and program partners will continue to encourage measurable results and showcase best practices to demonstrate innovative and better ways of doing work along the border, based on actual field examples and experience.

Finally, the National Coordinators will work with the Coordinating Bodies and Indicators Task Force to identify, document, and report on project results and outcomes on a biennial basis. The National Coordinators may also provide specific guidance (as appropriate) to address data management and tracking of results and program outcomes.

**Attachment A**

**U.S. MEXICO BORDER 2012 ORGANIZATIONAL STRUCTURE**