



Chair
Jeffrey Wennberg
Tel. 802-793-5345
wennberg.ccs@gmail.com

Designated Federal Officer
Oscar Carrillo
Tel. 202-564-2294
carrillo.oscar@epa.gov

U.S. Governmental Advisory Committee
*Independent Federal Advisors
on the North American
Agreement on Environmental Cooperation*

April 4, 2017

Committee Members

Jeffrey Wennberg
Chair
Vermont

Patty Acomb
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The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

The Governmental Advisory Committee (GAC) to the U.S. Representative to the North American Commission for Environmental Cooperation (CEC) held its forty-eighth meeting in Washington, D.C. on March 28-29, 2017. This letter represents our full advice resulting from that meeting.

The advice sought by EPA pertained to the twelve proposed CEC projects under consideration for the 2017-2018 Operational Plan. Jane Nishida, Acting Assistant Administrator for the Office of International and Tribal Affairs will be discussing the proposed projects with her Mexican and Canadian counterparts this week and has requested the National and Governmental Advisory Committees to critique the project proposals prior to that meeting.

Mr. Luis Troche, Acting Senior Advisor for North American Affairs in the Office of International and Tribal Affairs at EPA and Mark Kasman, Director, Office of Regional & Bilateral Affairs, OITA, briefed the committees on the biennial Operational Plan process and the draft projects. Mr. Troche attended both days of our meeting and provided invaluable context concerning the project proposals.

On the second day Mr. Kasman and Mr. Troche were joined by Acting Assistant Administrator Nishida who received verbal summaries of the advice and took the opportunity to discuss our preliminary observations with the committee members.

The committee also received a videoconference report from César Rafael Chávez, Executive Director of the CEC Secretariat, who provided a progress report on the 2015-2016 Operation Plan projects and other activities at the Secretariat.

Joint Public Advisory Committee Chair Eric Dannenmaier, and Bob Varney, former Chair and JPAC member, briefed the committees on the activities of the JPAC including the November 2016 meeting in Long Beach, California and the recent meeting in Tuxtla-Gutierrez, Chiapas, Mexico.

The GAC wishes to acknowledge the excellent support provided by the Federal Advisory Committee Management Division (FACMD) and thank Director Monisha Harris and NAC/GAC Designated Federal Officer Oscar Carrillo and all of the FACMD staff for their support, before, during and after the meeting.

Finally, the committee wants to congratulate you on your appointment as Administrator. The United States Government's long standing support of tri-national cooperation on North American environmental issues has enabled public health and environmental progress on a continental scale and improved consistency of regulatory standards.

Sincerely,



Jeffrey Wennberg, Chair
Governmental Advisory Committee

cc:

Jane Nishida, Acting Assistant Administrator for the Office of International & Tribal Affairs

Monisha Harris, Director, Federal Advisory Committee Management Division (FACMD), EPA

Oscar Carrillo, Designated Federal Officer (FACMD), EPA

Mark Kasman, Director, Office of Regional & Bilateral Affairs, OITA, EPA

Luis Troche, Acting Senior Advisor, North American Affairs, OITA, EPA

Eric Dannenmaier, Chair, Joint Public Advisory Committee

César Rafael Chávez, Executive Director, CEC

Members of the U.S. National and Governmental Advisory Committees

Governmental Advisory Committee (GAC)
to the U.S. Representative to the
Commission for Environmental Cooperation (CEC)

Summary Advice 2017-1 (March 30, 2017):

***Charge Questions: Review and comment on the twelve proposed projects for the 2017-2018
CEC Operational Plan***

The Charge Question seeks advice on draft project proposal descriptions for the *2017-18 CEC Operational Plan*, considering: 1) opportunities to make projects and their outputs and outcomes replicable in North America and how the projects can become self-sustaining beyond the two-year funding period; 2) their scalability and 3) how well the projects may capitalize on opportunities to incorporate youth, education, and tribal governments or traditional ecological knowledge (TEK).

To prepare for the meeting the Chairs decided to request members to individually complete an online survey assessing the degree to which the projects meet the conditions stated in the Charge. While this does not respond to the Charge, it informs us of the degree to which the projects as currently proposed meet the criteria and the degree to which the members concur on those assessments. A summary of those responses is attached.

The GAC's comments and advice concerning the 12 proposed projects follows.

Project 1: *Building community capacity to reduce marine litter in North American border watersheds.*

- The committee believes that the project should look to and share strategies that are in place and under development at the national and sub-national levels in the three nations.
- The committee is aware of active border programs with both Mexico and Canada and suggests that these programs might be partners in this effort.
- Two suggestions for encouraging youth involvement are 1) awareness among children and young adults can be encouraged through partnerships with aquariums and museums, and 2) it might be possible to modify some of the excellent land-based waste management educational curricula to incorporate marine litter.
- This is the kind of project that might be able to attract philanthropic support and thereby leverage the CEC resources with outside funds.
- Given that final locations for these projects have not been decided, the committee believes that the project should favor the selection of at least one community where TEK would be an added opportunity. This is more often the case in EPA Region 10.

Project 2: *Conserving shorebirds through community engagement at key sites in Canada, the United States and Mexico.*

- The US Fish and Wildlife Service has data on this issue. Although the proposal listed the agency as the USA lead for developing the project, it was not listed among the entities that will have a significant involvement in the project. This appears to be a project that could attract outside financial support from private partners. The oil and gas industry might be interested in being affiliated with this effort.
- The network of bird enthusiasts that exists throughout the continent suggests that public attention could be focused on shorebird conservation by creating social media groups that notify interested individuals whenever a notable event is taking place at nearby conservation areas.
- TEK is thoughtfully included but the same advice as offered in project #1 above could also apply here.
- Potential additional private financial partners include the Audubon Society and Ducks Unlimited.

Project 3: *Tools for food loss and waste prevention, recovery and recycling in North America.*

- The list of other agencies and constituencies seems too limited. Please refer to the links listed in our last advice letter (2016-3).
- One aspect of the food waste issue not discussed here is the development of technologies and methods to enhance the preservation of food, including post-cooking.
- There are multiple experiments in various jurisdictions including Vermont, Mexico City, Ontario, Hennepin County MN, and many others providing incentives for curbside organic separation. These experiments could provide useful data for analysis.
- The TEK section may be misdirected. Minimization of food waste has not been a subject of tribal experience because tribes historically harvested only what was needed. The focus of TEK communities was prevention, not management.
- The project may also want to examine current and potential future incentives for private industry to aggregate and convert organics to marketable commodities.

Project 4: *Increasing impact of private sector supply chain efficiency efforts through ISO 50001.*

- Not all possible industries have been identified.
- TEK might be involved in this project depending upon the specific industry selected for study and piloting.
- Is ISO 50001 the most appropriate means to promote supply chain efficiency? The GAC is concerned that the smaller entities along the supply chain will find the rigor of the ISO certification process too challenging, and as a result decline to participate. The GAC suggests that including the option of pursuing less demanding certification approaches might produce similar benefits among a greater number of participating companies.

Project 5: *Improving black carbon emissions inventory data for residential wood combustion.*

- Youth engagement could be incorporated by reaching out to university students as data collectors.
- The project description fails to indicate how the development of this information will provide a benefit and to whom. While the value of the information is easy to grasp, the specific end application would be useful to know. Assuming this question is answered the next logical suggestion is for the project sponsors to reach out to these groups or organizations and involve representative in the inventory design.
- “Residential” may be too narrow a focus. Wood burning takes place in a number of non-residential industries and activities, such as agriculture. Should the project also include these sources?
- The committee also noted that the purpose of wood burning varies by region. Would it be useful to categorize the use of wood fuel by purpose or activity (heating, cooking, etc.)? Also, the committee recommends that the project acknowledge that in some communities the use of wood is a matter of tradition and culture and not simply practical or economic.

Project 6: *Supporting science for continental conservation of the Monarch Butterfly.*

- The continuing focus on the Monarch captures the public imagination but provides limited benefits toward addressing larger challenges. Redefining this project to provide meaningful scientific benefits for a wider number of threatened pollinators would seem worthwhile.
- The project summary indicated a lack of TEK experience with the Monarch. The GAC suggests that if the scope of the project were to extend to pollinators generally the project team may find the TEK resources grow significantly.
- The committee suggests a more active role of USDA may be helpful here.

Project 7: *Helping North American communities respond to extreme heat events (Phase-II)
Scaling up syndromic surveillance systems.*

- The US Public Health Service and their Canadian and Mexican counterparts should be added to the list of entities to be involved.
- The GAC suggests that the project also invite the participation of FEMA as extreme heat events can be classified as disasters.

Project 8: *Marine protected areas as tools for promoting ocean health.*

- TEK is well integrated into this project design.
- The committee sees the potential for collaborative partnerships to possibly include the creation of an on-going organization or association of MPA managers and key stakeholders beyond the completion of the project itself. This should be further developed in the project proposal. One additional collaborative partner that was suggested by a committee member was Woods Hole Oceanographic Institute.

Project 9: *Implementation of North American action plans to boost the sustainable, legal and traceable production and trade of CITES Appendix II priority sharks, turtles, tarantulas and timber.*

- The project description is weak and appears to be written prematurely. Development of a well-defined project can only be done once the specific action plan to be implemented is selected. The committee believes this is a worthy project but recommends a thorough re-working of the project proposal once the species and action plan are selected.

Project 10: *North American TEK atlas/inventory and case studies on best practices in integrating TEK in decision-making in the three countries.*

- While the committee sees significant value in this project, TEK is not a discrete body of knowledge that can be cataloged. The project needs to acknowledge that many tribes will not participate, and that in many cases TEK is a tradition and often one that is not shared outside the tribe.
- The committee believes the case study component is good and could, by example, expand the appreciation among tribes for the value of viewing TEK as a resource as well as a tradition.
- The project description should acknowledge that this effort is a first step; an opportunity to provide leadership in hope that over time more will follow.
- Given the different legal status of Mexican tribes, will this effort engage with them differently than U.S. and Canadian tribes?
- While the template encourages a discussion of the involvement of youth, tribal culture requires that the focus should be on engagement with elders.
- The project description is unclear regarding whether the inventory and case studies are limited to federally recognized tribes. The GAC recommends the opportunity for participation be extended to all tribes, whether or not they are federally recognized.

Project 11: *Reducing emissions from goods movement via maritime transportation in North America (phase III).*

- This is clearly a special purpose project with a defined goal. Once Mexico complies with MARPOL Annex VI and ECA the project is completed.

Project 12: *Quantifying methane and black carbon emissions from flaring in the oil and gas industry.*

- The committee sees two applications for the outputs of this research. First, an opportunity to generate interest in the development of cost effective technologies to reduce the waste of this energy resource, and second, an opportunity to quantify the environmental and health impacts from the emissions.
- The committee believes that the industry has developed estimates of these metrics already, but may not have conducted the actual direct measurement proposed here.

- The GAC sees a role universities could play in this research and suggests that once the data has been collected and analyzed the CEC could facilitate partnerships between industry and universities to develop means of cost effectively capturing and marketing currently flared gas.